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OF THE  
**H**istorical Society of **P**ennsylvania.

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LIFE AND WRITINGS  
OF  
JOHN DICKINSON.  
VOL. II.



MEMOIRS  
OF THE  
HISTORICAL SOCIETY  
OF  
PENNSYLVANIA.

VOL. XIV.

PHILADELPHIA:  
PUBLICATION FUND OF  
THE HISTORICAL SOCIETY OF PENNSYLVANIA,  
No. 1300 LOCUST STREET.  
1895.









THE WEEDS

AN DICKINSON.

THE WEEDS  
THE WEEDS

1764-1774

THE WEEDS  
THE WEEDS

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THE WEEDS  
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THE WRITINGS  
OF  
JOHN DICKINSON.

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Vol. I.  
POLITICAL WRITINGS  
1764-1774.

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EDITED AT THE REQUEST OF THE HISTORICAL SOCIETY  
OF PENNSYLVANIA,  
BY PAUL LEICESTER FORD.

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PHILADELPHIA :  
THE HISTORICAL SOCIETY OF PENNSYLVANIA.  
1895.

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At a meeting of the Historical Society of Pennsylvania, held May 6, 1889, it was

*Resolved*, That the President of the Society appoint a committee to collect the published and unpublished correspondence and writings of John Dickinson, with a view of including them in the Memoirs of the Society, and that CHARLES J. STILLÉ, Esq., LL.D., be invited to edit the same. Subsequently the writing of the Life of Dickinson was undertaken by DR. STILLÉ, and the editing of the Writings of Dickinson by MR. FORD.

The Trustees of The Publication Fund desire it to be understood that they are not answerable for the opinions or observations that may be expressed in articles under the names or initials of the contributors.

*stacks*  
*direct*  
*10.13.55*  
*Replacement*

To  
MY BROTHER,  
WORTHINGTON CHAUNCEY FORD,  
WHOSE SCHOLARLY PUBLICATIONS AND ADVICE  
HAVE SO OFTEN AIDED  
THE EDITOR,  
THIS COLLECTION IS DEDICATED.







## PREFACE.

---

JOHN DICKINSON has been aptly termed the "Penman of the Revolution." In the literature of that struggle, his position is as pre-eminent as Washington in war, Franklin in diplomacy, and Morris in finance. From no other leader of that movement originated a series of arguments of half the number, importance or popularity. In 1765 his pen produced the "Declaration of Rights" of the Stamp Act Congress, the first American state paper that can claim the slightest element of nationality. His "Letters of a Farmer" ran through the colonies like wildfire, furnishing a common fighting ground to all and so leading the way to union. The "Liberty Song," sung and re-sung, with its line "By uniting we stand, by dividing we fall," still further pointed the path that led to the first Congress. For that body he drew the famous "Petition to the King" and "the Address to Inhabitants of Quebec," being the only member to whom was assigned the framing of two papers. In the Continental Congress he drew the "Second Petition to the King," offering for the last time the olive branch; while at the same time writing the "Declaration upon taking up Arms," so cheered by the Continental battallions. But for his disapproval of a Declaration of Independence at the time it was moved, he would have been the framer of the vindication of that step. And his pen prepared the draft of the Articles of Confederation, which welded a people into a league, if not a nation.

But more than the Revolution can be traced in these volumes. Here is epitomized as well the story of Ameri-

can history in the period of its greatest development. The chief struggle for ten years was to unite a people; for another ten, to form a nation; then for twenty years a long struggle for that nation to acquire and maintain a position with other nations. Of all this, Dickinson's writings form an important part. Opening with a dispute which concerned the local politics of a single province, they quickly pass to the stage of the action of an individual colony on a question of common concern. Following these come writings that received the approval of seven colonies. Then those that twelve assented to. Finally are those which were adopted by the whole thirteen, and the union of Americans for opposition to a common enemy, was completed. Union of feeling having been obtained, the question of the legal relation of these separate colonies, or states, to each other became important. Here too, Dickinson exercised much influence. In his own state, he wrote concerning the local government. In Congress he drew the first band of union. At Annapolis he signed the call for a general convention to frame a new government. His part in the Federal Convention was prominent and material. His writings in support of the government there framed aided its adoption. Nationality having been obtained, he turned his pen to the relations of America to Europe. And though he did not live to see the third stage of the epoch ended, and his country so established both internally and externally, that forty years of peaceful development succeeded, yet he lived long enough to have been able to feel that he and his contemporaries had not labored in vain, but had been instruments in the accomplishment of a great movement.

Though Dickinson's writings were so popular in their day, but one collection of them has ever been made. This consisted of a selection, edited by Dickinson himself, and published in 1801, a re-issue of which was made in 1814.

In this was printed his "Speech" of 1764, the "Regulation of the Colonies," the Stamp Act Congress "Resolutions," the "Address to Barbadoes," the "Farmer's Letters," the "Essay" of 1774, the "Addresses" and "Petitions" of the Congresses of 1774 and 1775, the Congressional Address of 1779, and the two series of the Letters of Fabius. Thus more than two-thirds of his writings were omitted, and have remained unknown.

Believing that Dickinson's position and influence have been slighted by this suppression, the editor began the preparation for a new edition of his writings over five years ago. After advancing some ways in the work, he learned of a similar labor being planned by the Historical Society of Pennsylvania, and only too gladly merged his individual attempt with theirs. He has endeavored to make the present collection contain all that is extant of Dickinson's writings, but has, unfortunately, not been able to obtain access to or copies of some of the Dickinson papers in the possession of a descendant. Aside from this hiatus, other omissions probably occur. After a careful study of over two thousand issues of the newspapers printed in Pennsylvania between 1762 and 1777, the editor is convinced, from his knowledge of Dickinson's style, that he was a constant writer for the press, and that a number of the broadsides of the period were also written by him. But deeming his personal opinion on this matter insufficient evidence to warrant the inclusion of such articles and broadsides in this collection, the editor has omitted all that he could not in some other way verify. Fortunately most of the pieces so omitted are of comparatively small moment; and the editor believes that the present edition includes all that is essential and important of Dickinson's works. The first two volumes will contain his political writings, and a third will be devoted to his correspondence.

The editor is under special obligations to Dr. Charles J.

Stillé, author of the very valuable *Life of John Dickinson*, which constitutes the first volume of this series ; to Miss Frances A. Logan, a collateral descendant of Dickinson ; to Mr. Frederick D. Stone, librarian of the Historical Society ; and to that Society, for their aid in the preparation of this edition. He also gives thanks for assistance to Dr. S. A. Green, Mr. A. P. C. Griffin, and Mr. Lindsay Swift, of Boston ; Mr. E. M. Barton, of Worcester ; Mr. Wilberforce Eames, Mr. Charles L. Woodward, Mr. William Kelby, and Dr. Thomas Addis Emmet, of New York ; Mr. Charles R. Hildeburn, and Mr. Bumford Samuels, of Philadelphia ; and Mr. S. M. Hamilton, of Washington. Last he must record the aid given by two now passed away, Dr. J. S. H. Fogg, and Dr. George H. Moore, to both of whom American history owes so much.

PAUL LEICESTER FORD.

*January 29, 1894.*







## PREFACE.\*

THE present age has been witness to as great political phenomena, as have appeared in the history of the world.

Among other events, we have seen *America*, in a dignified progression, from resentment of injuries to remonstrances, from remonstrances to arms, and from arms to liberty—after a vicissitude of fortunes delivered from despotism, and establishing her freedom in a republican form of government, on the pure and just principles of *popular representation* and *federal union*, delineated in these writings.

Throughout the course of these contests, the friends of liberty in *Great-Britain*, many of them peers or members of the house of commons, of the highest characters, were warm advocates for THE JUSTICE OF OUR CAUSE.

In the year 1774, the earl of *Chatham*, in a speech worthy of his distinguished talents and illustrious reputation, said—"If we take a transient view of those motives, which induced the ancestors of our fellow subjects in *America*, to leave their native country, to encounter the innumerable difficulties of the unexplored regions of the Western world, our astonishment at the present conduct of their descendants will naturally subside. There was no corner of the globe to which they would not have fled, rather than submit to the slavish and tyrannical spirit, which prevailed at that period in their native country; and viewing them in their original, forlorn, and now flourishing state, they may be cited as illustrious in-

\*To the edition of 1801. The original MS. in Dickinson's handwriting is still in existence.—*Editor*.

stances to instruct the world—*what great exertions mankind will make, when left to the free exercise of their own powers.*

"It has always been my fixed and unalterable opinion, and I will carry it with me to the grave, that *this country* had no right whatever to tax *America*. It is contrary to all the principles of justice and civil policy : it is contrary to that essential, unalterable right in nature, ingrafted into the *British* constitution as a fundamental law, that *what a man has honestly acquired is absolutely his own*, which he may freely give, but which cannot be taken from him without his own consent.

"Pass then, my lords, instead of these harsh and severe edicts, an amnesty over their errors ; by measures of lenity and affection, allure them to their duty ; act the part of a generous and forgiving parent. *A period may arrive*, when this parent may stand in need of every assistance, she can receive from a grateful and affectionate offspring."

Soon afterwards, in a confidential letter to a friend, he writes—"Every step on the side of government in *America*, seems calculated to drive the *Americans* into open resistance, vainly hoping to crush the spirit of liberty in that vast continent, at one successful blow ; but millions must perish there, before the seeds of freedom will cease to grow and spread, in so favourable a soil ; and in the mean time, devoted *England* must sink herself, under the ruins of her own foolish and inhuman system of destruction. It is plain, that *America* cannot bear chains. Would to heaven it were equally plain, that the oppressor, *England*, is not doomed one day to bind them round her own hands, and wear them patiently.

*"Luxuria incubuit, victumque ulciscitur orbem—sævior armis.*

"Happily, beyond the *Atlantic*, this poison has not reached the heart. When then will infatuated adminis-

tration begin to fear that freedom they cannot destroy, and which they do not know how to love?"

In another letter, he says—"I have not words to express my satisfaction, that the congress has conducted this most arduous and delicate business with such manly wisdom and calm resolution, as does the highest honour to their deliberations. Very few things are contained in their resolves, that I could wish had been otherwise. Upon the whole, I think it must be evident to every unprejudiced man in *England*, who feels for the rights of mankind, that *America*, under all her oppressions and provocations, holds forth to us the most fair and just opening, for restoring harmony and affectionate intercourse, as heretofore. I trust, that the minds of men are more than beginning to change on this great subject; and that it will be found impossible for freemen in *England*, to wish to see three millions of *Englishmen*, slaves in *America*."

In the beginning of the year 1775, soon after the *American* papers had been laid before the peers, he made another speech becoming his splendid fame. These were some of his expressions—"This universal opposition to your arbitrary system of taxation, might have been foreseen; it was obvious from the nature of things, and from the nature of man, and *above all*, from the confirmed habits of thinking, from the spirit of WHIGGISM flourishing in *America*. The spirit which *now* pervades *America*, is *the same* which formerly opposed loans, benevolences, and ship-money in this country; is *the same spirit* which roused all *England* to action at the revolution, and which established at a remote æra, your liberties, on the basis of that grand fundamental maxim of the constitution, that no subject of *England* shall be taxed, but by his own consent.

"To maintain this principle, is the *common cause* of the WHIGS, on the other side of the *Atlantic*, and on this. *It*



*is liberty to liberty engaged.* In this great cause they are immoveably allied. It is the alliance of *God* and *nature*, immutable, eternal, fixed as the firmament of heaven.\*

"As an *Englishman*, I recognize to the *Americans*, their supreme unalterable right of property. As an *American*, I would equally recognize to *England*, her supreme right of regulating commerce and navigation. This distinction is involved in the abstract nature of things; property is private, individual, absolute: the touch of another annihilates it. Trade is an extended and complicated consideration; it reaches as far as ships can sail, or winds can blow; it is a vast and various machine. To regulate the numberless movements of its several parts, and combine them into one harmonious effect, for the good of the whole, requires the superintending wisdom and energy of the supreme power of the empire.

\* "*Arbitrary taxation* is plunder authorized by law; it is the support and the essence of tyranny; and has done more mischief to mankind, than those other three scourges from heaven, famine, pestilence, and the sword.

"I need not carry your lordships out of your own knowledge, or out of your own dominions, to make you conceive what misery this right of taxation is capable of producing in a provincial government.

"We need only recollect, that *our countrymen* in *India* have, in the space of five or six years, in virtue of this right, destroyed, starved and driven away more inhabitants from *Bengal*, than are to be found at present in all our *American* colonies.—This is no exaggeration, my lords, but plain matter of fact."

SHIPLEY, bishop of *St. Asaph*, against the bill for altering the charter of *Massachusetts*, &c.

"We seem not to be sensible of the high and important trusts, which Providence has committed to our charge. The most precious remains of civil liberty, that the world can now boast of, are now lodged in our hands, and God forbid, that we should violate so sacred a deposit.

"By enslaving your colonies, you not only ruin the peace, the commerce, and the fortunes of both countries; but you extinguish the fairest hopes, shut up the last asylum of mankind.

"I think, my lords, without being weakly superstitious, that a good ~~man~~ may hope, that heaven will take part against the execution of a ~~plan~~ which seems big not only with mischief, but *Impiety*." *Idem*.

"On this grand practical distinction, then, let us rest: taxation is theirs, commercial regulation is ours. As to the metaphysical refinements, attempting to shew, that the *Americans* are equally free from legislative controul, and commercial restraint, as from taxation, for the purpose of revenue, I pronounce them futile, frivolous, and groundless.

"When your lordships have perused the papers transmitted to us from *America*, when you consider the dignity, the firmness, and the wisdom with which the *Americans* have acted, *you cannot but respect their cause.*

"History, my lords, has been my favourite study, and in the celebrated writings of antiquity, have I often admired the patriotism of *Greece* and *Rome*: but, my lords, I must declare and avow, that in the master states of the world, I know not the people or the senate, who, in such a complication of difficult circumstances, can stand in preference to the delegates of *America*, assembled in general congress at *Philadelphia*. I trust, it is obvious to your lordships, that all attempts to impose servitude upon such men, to establish despotism over such a mighty continental nation, must be vain."

Lord *Chatham* was ably supported by his friend, the excellent lord *Camden*, who among other things said—"When the famous *Selden* was asked, 'by what statute *resistance to tyranny* could be justified?' his reply was—'it is to be justified by the *custom of England*, which is part of the law of the land.'

"I will affirm, my lords, not only as a statesman, a politician, and a philosopher, but as a common lawyer, that you have no right to tax *America*. No man, agreeably to the principles of natural and civil liberty, can be divested of any part of his property, without his consent; and *whenever oppression begins, resistance becomes lawful and right.*"

In the year 1777, lord *Chatham* moved an amendment to a proposed address, recommending measures of accommodation, and an immediate cessation of hostilities, as necessary for effectuating that purpose, which "he supported with all the energy and eloquence, which had formerly produced such mighty effects; and which must now have roused the nation from its death-like torpor, had this been within the compass of human virtue or human ability."

After some weighty observations respecting the conduct of ministers he proceeded thus—"You may swell every expense, and strain every effort, accumulate every assistance, and extend your traffic to the *shambles* of every *German* despot, your attempts will be forever vain and impotent.—But, my lords, where is the man, that in addition to the disasters and mischiefs of the war, has dared to authorize and associate to our arms the *tomahawk* and *scalping-knife* of the savage? To call into civilized alliance, the wild and inhuman inhabitant of the woods? To delegate to the merciless Indian, the defence of disputed rights, and to wage the horrors of his barbarous warfare against our brethren? These enormities cry aloud for redress and punishment."

\*The *London* *Chronicle*, in a letter to general *Carleton* dated *Whitehall*, March 24th, 1777, says: "As this plan cannot be advantageously executed without the assistance of *Canadians* and *Indians*, his majesty's most excellent majesty it is your duty to furnish both expeditions with good and well-chosen arms of the war: and I am happy in knowing, that your industry among them is so great, that there can be no room to apprehend you will not be able to hold his majesty's instructions."

In the *Chronicle* is mentioned the war from the side of *Canada*, "by general *Carleton*, the general demand "a thousand or more soldiers."

It is also stated to describe the king's bounty-money being paid to the soldiers who were the army, and after the delivery of the arms to the soldiers, the soldiers were to be left to the king's bounty.

It is also stated that the king's bounty-money was to be paid to the soldiers, and that the king's bounty-money was to be paid to the soldiers, and that the king's bounty-money was to be paid to the soldiers.

"It is not, my lords, a wild and lawless banditti whom we oppose: *the resistance of America, is the struggle of free and virtuous patriots.*"

It is remarkable, that this great and good man, in the year 1775, not only lays the *justice of American claims*, on the same eternal and immutable foundations contended for in the following "*Essay on the constitutional power of Great-Britain over the colonies in America*," published at Philadelphia in the preceding year, 1774, but makes the same *comparison* that was made in *that Essay*, between the opposition of *America* to *British* measures, and the opposition of *Britain*, to the measures of the *Stuarts*, respecting loans, benevolences, and ship-money; and also makes the same *distinction* between taxation and regulation of commerce, that is asserted in *that Essay* and inforces that distinction by the same *arguments* which in the *Essay* are employed on that subject. He likewise insists, as is urged in *that Essay*, that the *admission of an authority to regulate commerce*, does not imply the concession of an authority to legislate, for the purpose of taxation. He, also, called the public attention to the *extraordinary case*, which is stated in *that Essay*—that a period may arrive, when the parent will stand in need of the assistance of her offspring.

Thus has the *justice* of our cause been maintained by the best and wisest men in *Britain*, not only by those before-mentioned, but by multitudes of others.

CEPTED, and PROMISED TO MAKE USE OF IT. This letter is dated *Ontario*, July 28th, 1777.

In another letter, colonel *Butler* says, "The *Indians* threw in a heavy fire on the *rebels*, and made a *shocking slaughter* with their *spears and hatchets*. The success of this day, will plainly shew the utility of your excellency's constant support of my *unwearied endeavours* to *conciliate to his majesty so serviceable a body of ALLIES*." This letter is to sir *Guy Carlton*, and dated, camp before *Fort Stanwix*, August 15th, 1777. In another letter he says, "*many of the prisoners were, conformably to the Indian custom, AFTERWARDS KILLED.*" More on this subject may be seen in general *Burgoyne's* proclamation, proceedings in parliament, &c.



Of what *importance* our successful opposition has been, and is now thought on the other side of the *Atlantic*, we may judge from the following declaration of that honest, benevolent, and enlightened statesman *Charles Fox*, in the house of commons—"THE RESISTANCE OF THE AMERICANS TO THE OPPRESSIONS OF THE MOTHER COUNTRY, HAS UNDOUBTEDLY PRESERVED THE LIBERTIES OF MANKIND."

What political event, in the annals of the world, can be more worthy of being commended to the attention of nations!

We now behold the sun of liberty illumining *Europe*; and we have reason to believe, that its rays will reach to other quarters of the globe, beaming with a benign influence on the human race.

With such knowledge of facts, and with such hopes of the future, every *American* who loves his country, must be pleased to trace our momentous controversy with *Great-Britain*, from its commencement in her injustice, to its termination in our independence; and every friend to mankind must rejoice, in contemplating the actual and probable consequences of our revolution to other nations.

If this intelligence should be conveyed in narratives, written in coolness and leisure, after the agitation of events had subsided, no doubt it would be agreeable: but, this collection offers to our fellow-citizens, in a series from the beginning of the year 1764, writings composed and published in the midst of the arduous contention, while *Britain* with insulting pretensions, and relentless cruelties, was practising every artifice, and straining every nerve, by statutes and by swords, to bend or break us into bondage: and the editors think it their right and duty, to insert some testimonies concerning several of these writings, to shew the sentiments that were entertained of them at the times when they were published, or soon after.



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**A SPEECH**  
**ON A**  
**PETITION FOR A CHANGE OF GOVERNMENT**  
**OF THE**  
**COLONY OF PENNSYLVANIA.**

**BY**  
**JOHN DICKINSON.**

**WITH A PREFACE BY**  
**REV. WILLIAM SMITH.**

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**MAY 24, 1764.**







## NOTE.

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THE supply bill passed by the Pennsylvania Assembly in the spring of 1764 was the immediate cause of the controversy which occasioned this speech ; but the real matter at issue was of long and serious standing, having been practically the main political question for many years in Pennsylvania, and therefore needless to touch upon here. In June, 1763, Sir Jeffrey Amherst had informed the Governor of the Colony, of the danger of the Indian outbreak, later known as Pontiac's conspiracy, and asked an immediate calling of the Assembly to vote the troops and supplies necessary to quell it. Among other acts voted in pursuance of this, was one granting "his Majesty the sum of fifty-thousand Pounds," to which the Governor refused to assent, being bound by his instructions from the Proprietors. (*Minutes*, v, 325-6.) The Assembly at once appointed a committee "to draw up and bring in certain resolves upon the present Circumstances of this Province." A new supply bill was also framed, to which the Governor again refused his assent, and to which the Assembly resolved unanimously to adhere ; and a message was drawn and sent to the Governor explaining the reasons for their action. (*Minutes*, v, 329-30.) This in turn produced another message from the Governor, and a counter message from the Assembly, leaving each side determined to maintain its position. The committee on resolutions therefore promptly introduced (March 24, 1764), these resolves, the first twenty-six being a justification of the Colony and Assembly, and the final one being :

"That this House will adjourn, in order to consult their constituents, whether an humble address should be drawn up, and transmitted to his Majesty, praying that he would be graciously pleased to take the people of this province under his immediate protection and government, by completing the Agreement heretofore made with the first Proprietary for the Sale of the Government to the Crown, or otherwise as his Wisdom and Goodness shall seem meet."

The Assembly "*ordered*, that the foregoing resolves be made public," and then adjourned till the following May. On re-assembling a number of petitions to the King asking him to change the colony from a proprietary to a royal one were laid before the Assembly, with the request that they should be transmitted to the King. The question was therefore put "whether a committee shall now be appointed to prepare and bring in a Draft of a Petition from this House, to accompany the above mentioned Petitions to his Majesty for a Change of the Government of this Province?" This resolution was carried by "a great majority," a committee named to prepare a petition, and a draft, drawn by Franklin (*Franklin's Writings*, III, 303), was reported on the same day (May 23). This was debated on the next day, when Dickinson delivered the following speech, which sufficiently details the subsequent proceedings. Gallows' note in *Speech* as printed stated that:

During the Time of the Debates respecting the Change of Government, Mr. Dickenson seldom attended, and was absent when the important one came on, which issued in the Resolve, to adjourn and consult the People. At the next Meeting several Motions were made to bring this Resolution to an Issue, and after great Deliberation, it was resolved by a Majority of 27 to 3, that a Committee should be appointed to bring in the Petition to his Majesty to resume the Powers of Government. But at none of these Debates and Resolutions was Mr. Dickenson present, tho' he well knew, or least had great Reasons to Expect this Business was in continual Agitation.

During this Time, and the Recess of the Assembly Mr. Dickenson employed himself in collecting his Sentiments in Opposition to the Measure, and in forming his Thoughts into the best Order, and dressing them in the best Language his Abilities were capable of. And upon the first reading of the Petition, and now all them had he in all this Time, entered into the Debate, or publicly delivered his Opinions respecting the intended Change.

After a Measure is resolved on in a House of Legislature, it is well known to be contrary to all Rule and Order to object to the Measure; otherwise publick Business could never be brought to an Issue. Members may speak to the Mode, but not object against the Thing resolved on. But this Rule, so necessary in public Transactions, was sacrificed either to Mr. Dickenson's Indolence in not attending, or to his Industry in forming his Speech. For he was permitted to object to the Design itself.

In the Debate on the first reading of the Petition, he attempted to deliver his Objections against the Measure, ore tenus; But finding

every thing he offer'd judiciously and sensibly refuted by several Members, he was obliged to retreat to his Speech, in writing, which after a short Introductory Apology, he read in his place, in a Manner not the most deliberate.

This unparliamentary Mode of Proceeding, and the Difficulty of Retaining in the Memory so long and elaborate a Performance, obliged, and indeed justified the Gentleman, the Author of the following Speech, in taking short Notes, from which, after Mr. Dickenson had concluded, he rose to answer the Objections offer'd against the Petition. But the Speaker being exceedingly indisposed, the Debate was adjourn'd till next Day.

Before the Adjournment, Mr. Dickenson was requested by several members, and informed by the Speaker, that he ought to leave his Speech on the Table for the Perusal and Consideration of the House. But this he several times evaded, alleging in Excuse, that it was too incorrect and indigested; altho' he was repeatedly informed that none wou'd examine it with a View to make any critical observations on the Style or Method, but only to make themselves acquainted with the Substance. At length he was prevail'd on to promise in the most solemn Manner, that he would deliver it to Mr. Galloway that Evening. That Gentleman called on him at the Time appointed, but Mr. Dickenson continuing in the same Humour, declined delivering it. Nor did he give the Members an Opportunity of perusing it, until the Debate was over, and the Question called for whether the Petition shou'd be transcribed for a third Reading. Which passed in the Affirmative by the Votes of all the Members who rose on the former Question. All that Mr. Dickenson had either said or read, not having the Success of altering the Opinion of a single Member.

Nor did the Speech then remain long upon the Table, for Mr. Dickenson immediately after, got it into his Hands again, and carried it out of the House. What has been done with it since, to whose Care and Correction it has been committed, and by whom, and with what Views it has been published, the Preface attending it sufficiently demonstrates.

However, since the Art and Dress in which it now appears to the Public, is very different from that in which it appeared in the House, renders it little less than necessary, that the Public shou'd know the Arguments and Reasons which prevailed on the Members to retain their former Resolution, of prosecuting the Petition to the Crown; the following Speech, in Substance the same that was offered by Mr. Galloway, in Answer to Mr. Dickenson, taken from the short Notes, and put into Order, is submitted to the Consideration of the Lovers and Supporters of public Liberty, Order, and good Government.





delpbia Caunty. / Bey Gelegenheit einer Vitschrift, die auf  
Besehl des / Hauses ausgesetzt, und damals in Ueberlegung  
genom/men war, worin Eine Königliche Majestät um eine / Ver-  
änderung des Governments dieser Provinz er= / sucht wird. / Mit  
einer Vorrede. / . . . / Aus dem Englischen übersetzt, nach der  
zweyten Auflage. / Philadelphia, Gedruckt und zu finden bey  
Henrich Miller, in der Zweyten=Strasse. [1764.] 8vo. pp. xvi, 35.

The speech was also printed in London (pp. xv, 31), as follows :

A /Speech, / Delivered In / the House of Assembly / Of the Province  
of Pennsylvania, / May 24th, 1764. / By John Dickinson, Esq ; / One  
of the Members for the County of *Philadelphia*. / On Occasion of a  
Petition drawn up by Order, and then / under Consideration of the  
*House* ; praying his *Majesty* for / a Change of the *Government* of this  
*Province*. / With / A Preface. / *Certe ego libertatem, quæ mihi a*  
*Parente meo tradita est, experiar verum id frustra, an ob rem faciam,*  
*in vestra manu situm est, Quirites.* / Sall. Bell. Jugurth. in Orat.  
Memmii / As for me, I will assuredly contend for that glorious plan  
of *Liberty* / handed down to us from our ancestors ; but whether my  
Labours / shall prove successful, or in vain, depends wholly on you,  
my dear / Countrymen ! / Philadelphia Printed : / London, / Re-Printed  
for J. Whiston and B. White, in *Fleet-street*. / M.DCC.LXIV. /

This edition is reviewed in the *Monthly Review*, xxxi, 318, and the  
*Critical Review*, xviii, 316. The speech was also included in *The Polit-  
ical Writings of John Dickinson* (I, 1), where a few slight changes were  
made in the text, which are noted in the present republication. The  
speech called forth two replies :

The / Speech / Of / Joseph Galloway, Esq ; / One of the Members for  
*Philadelphia County* : / In Answer / To the Speech of John Dickinson,  
Esq ; / Delivered in the House of Assembly, of the / Province of Penn-  
sylvania, May 24, 1764. / On Occasion of a Petition drawn up by  
Order, and / then under the consideration of the House ; / praying his  
Majesty for a Royal, in lieu of / a Proprietary Government. / Audi et  
alteram Partem. / Philadelphia : / Printed and sold by W. Dunlap,  
in Market-street. / MDCCLXIV. 8vo. pp. xxxv, (5), 45.

The / May Be / Or Some / Observations / Occasion'd by reading a  
Speech deliver'd in / the House of Assembly, the 24th of May / last,  
by a certain eminent Patriot. / . . . / Philadelphia : / Printed by  
Anthony Armbruster, in Arch-street. [1764.] Sm. 8vo. pp. 7.

These in turn produce the replies of Dickinson, printed *post*, and the  
controversy was further continued in the *Pennsylvania Gazette*, Feb. 28 ;  
March 14 ; and April 4, 1765.

EDITOR.



A  
S P E E C H,

Delivered in the HOUSE of ASSEMBLY of the Province of  
*Pennsylvania*, May 24th, 1764.

By JOHN DICKINSON, Esq<sup>s</sup>.

One of the MEMBERS for the County of *Philadelphia*.

On Occasion of a PETITION, drawn up by Order, and then  
under Consideration, of the *House*; praying his *Majesty* for a  
Change of the *Government* of this *Province*.

WITH A P R E F A C E.

---

*Certe ego libertatem, quæ mihi a Parente meo tradita est, experiar; verum  
id frustra, an ob rem faciam, in vestra manu situm est, Quirites.*

SALL. Bel. Jugurth. in Orat. MEMMI.

As for me, I will assuredly contend for that glorious plan of *Liberty*  
handed down to us from our ancestors; but whether my Labours  
shall prove successful, or in vain, depends wholly on you, my dear  
Countrymen!

---

P H I L A D E L P H I A:

Printed and Sold by WILLIAM BRADFORD, at his  
Book-Store adjoining the *London Coffee-House*.

M.DCC,LXIV.



1

## PREFACE.\*

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To understand clearly the nature of that dispute which led the Assembly to those measures, which are so justly animadverted on in the following excellent speech, it will be proper to look a few years backward.

In the year 1759, Governor *Denny*, whose administration will never be mentioned but with disgrace in the annals of this province, was induced, by considerations to which the world is now no stranger, to pass sundry acts, contrary to his duty, and to every tie of honor and justice. On the 2d of September, 1760, his late Majesty in council repealed six of these acts; and in regard to the seventh (which was an act for granting to his Majesty one hundred thousand pounds, by a tax on all estates, real and personal, &c.) the Lords of his Majesty's most honorable privy Council declared it their opinion "that the said act was fundamentally WRONG and UNJUST, and ought to be repealed, unless six certain amendments were made therein."

Benjamin Franklin and Robert Charles, Agents for the Province, undertook that, in case the act might be left unrepealed, "the Assembly of Pennsylvania would prepare and pass an act for making the amendments proposed by the Lords of the Council, and to indemnify the Proprietaries from any damage they might sustain by such act not being prepared and passed." This stipulation was signed by the hands of the said agents, and the Proprietors for the sake of peace accepted of it. [iv]

But, notwithstanding the solemnity of this agreement, the Assembly in framing the late *Supply-Bill*, insisted upon explaining the 2d and 3d articles of the stipulation in their own way, and inserting them in the bill in different words from those made use of by the Lords of Council, and signed by their

\* This preface was written by Rev. William Smith.

own agents. The Governor, on the contrary, thought that no words could be so proper to convey the meaning of the Lords of Council and prevent disputes, as those which their lordships themselves had made use of, and that he could neither in decency or duty depart from them.

Hereupon messages ensued, and the Assembly, among other vehement and warm resolves, broke up with the following most extraordinary one, *viz.*

"That this House will adjourn, in order to consult their constituents, whether an humble address should be drawn up, and transmitted to his Majesty, praying that he would be graciously pleased to take the people of this Province, under his immediate protection and government, &c."\*

What methods were taken, during this adjournment, to lead a number of rash, ignorant and inconsiderate people into petitions, the evil tendency of which they did not understand, is an enquiry not suitable to the present occasion. It is enough to say that, after incredible pains, in a province containing near THREE HUNDRED THOUSAND SOULS, not more than 3500 could be prevailed upon to petition for a change of government; and those very generally of a low rank, many of whom could neither read nor write.†

The wiser and better part of the Province had far different notions of this measure. They considered that the moment they put their hands to these petitions, [v] they might be surrendering up their birth-right, and putting it in the power of a few men, for the sake of gratifying their own ambitious projects and personal resentments, to barter away that glorious plan of public liberty and charter privileges, under which this Province has risen to the highest degree of prosperity, with a rapidity almost unparalleled in history.

Though the ill-success of these petitions must have been very mortifying to the projectors of them, yet the Assembly were at all hazards to be persuaded to make them the foundation of a petition to the King for a change of government. It was in vain to urge the smallness of the numbers who signed

\* See Galloway's *Speech*, xix.—*Ed.*

† *Ibid*, xx.—*Ed.*



the petitions; the high veneration in which our present constitution hath long been held by good men of every denomination, and the multitudes of industrious people whom even the very fame of it hath invited among us, from almost every part of the world. These considerations were but slight bars to men actuated by ambition and resentment; men who have long found their own importance to consist in fomenting the divisions of their country, and now hope to aggrandize themselves by bringing about the proposed change, whatever may be its consequences to others. They therefore found means to carry their petition thro' the House, but not without the most spirited testimony against it, from a NOBLE FEW, a PATRIOT MINORITY, whose names will be mentioned with honor, so long as any remembrance is left of the present boasted LIBERTIES of PENNSYLVANIA.

At the head of these FEW, the worthy author of the following SPEECH signalized himself. Having devoted to a severe course of study those years which too many give to dissipation and pleasure, he shewed himself, at his first entrance on public life, possessed of a knowledge of the laws and constitution of his country, which [vi] seldom falls to the share even of grey hairs. Alike independent in spirit and in fortune, removed as far as any man can be from all connections with the Proprietors or their immediate friends, and following only the unbiassed dictates of his own heart, he could not be a silent spectator while the most distant attempt was made upon that constitution, for which our fathers planted a wilderness, and which is derived to us by the FAITH OF CHARTERS, and SANCTITY OF LAWS!

This SPEECH was delivered on the 24th of May, and the late Speaker, Mr. Norris, with the four members under mentioned, are said to have declared to Mr. Dickinson, that he had fully spoke their sentiments, in his own. The next day in the afternoon, Mr. Dickinson *moved* that the further consideration of the matter should be adjourned to the following morning. But it was voted by a great majority (Mr. Dickinson, Mr. Joseph Richardson, Mr. Isaac Saunders, and Mr. John Montgomery being for the negative) that the PETITION as then drawn, should

be transcribed, in order to be signed by the Speaker; which was ordered accordingly.

Mr. Dickinson having then digested the heads of his speech into the nature of a *Protest*,\* in which he was joined by Mr. Saunders and Mr. Montgomery,† offered it to be entered in the minutes; but it was refused.

Mr. Norris, the Speaker, who, from the nature of his office, could not join in the *Protest* or take any part in the debate, finding matters pushed to this extremity, informed the House, in a very solemn and affecting manner, "That for thirty years past he had had the honour of serving as a Representative of the people of this Province, and near half that time as Speaker. — That, in these offices, he had uniformly endeavoured, accord-[vii]ing to the best of his judgment, to promote the public good. — That the subject of the present debate was a matter of the utmost importance to the Province. — That as his sentiments on the occasion were very different from those of the *majority*, and his seat in the chair prevented him from entering into the debate, he therefore *prayed* the House, That if, in consequence of their order, his duty should oblige him to sign the *Petition* as Speaker, he might be permitted to offer his sentiments on the subject before he signed, and that they might be entered on the minutes;" which was granted accordingly.

The House then adjourned to the next morning, and when they met, the Clerk delivered the members a letter from the Speaker, acquainting them that his indisposition prevented his further attendance, and praying them to choose a new Speaker. Thus this aged member and faithful servant of the House, as if foreseeing troubles to come, chose to retire, and leave them to those whose temper they better suited.

Benjamin Franklin, Esq., was *accordingly* chosen *Speaker*, and in the afternoon of the same day, signed the *Petition*, as one of his first acts, an act which——but posterity will best be able to give it a name!

As these transactions could not fail of being very interesting to the good people of this Province, it is not to be wondered

\* Printed *post.*—Ed.

† See their letter below.



that they expressed an earnest desire to see the following *Speech*, that they might be able to form some knowledge of what was intended; for their own Representatives did not think proper to let the contents of their petition for the proposed change be known; though upon this single stake, so far as depended upon them, they have risked our whole constitution. On the 6th of June, therefore, a great number of the principal Gentlemen of *Philadelphia* applied to Mr. Dickinson for a copy of his speech, by letter as follows, *viz.* [viii]

PHILADELPHIA, *June 6th, 1764.*

*Sir*, We whose names are underwritten, citizens of Philadelphia, acknowledge the obligations that the good people of this Province are under to you, for your spirited defence of our charter privileges, which we apprehend are greatly endangered by some late proceedings, particularly the setting on foot a petition to his Majesty for a change of government. We are surprised that our representatives, who ought to be guardians of the constitution, do not check rather than encourage this unseasonable application of a few (comparatively) of the people of this extensive Province. We hereby testify our sincere gratitude to you, *sir*, and the other patriot members that appeared on the side of our Charter and Privileges, and request a copy of the speech you delivered on that occasion in the House, as we are persuaded that the publication thereof would be of great utility and give general satisfaction. We beg leave to assure you of our regard, and are

*Sir*, Your most obedient humble servants.

About the same time Mr. Saunders and Mr. Montgomery, earnestly desirous that their names might be joined with Mr. Dickinson's through this whole affair, sent him the following letter:

*Sir*, As we are informed that a number of the principal gentlemen of the city of Philadelphia intend applying to you to have your speech, which was delivered a few days ago in the House of Assembly, against the measures proposed for a change of government, published, and as we are of opinion the publication thereof, together with the reasons on which our protest is founded, may be of considerable service, we judge it proper (in case you are of the same opinion of making them public) that you should signify to the public how heartily we have concurred with you in the same sentiments, set forth in your speech, and in disapprobation of the late resolves of the House; this we judge a piece of justice due to ourselves, lest we incur, from our constituents, the imputa-

tion of betraying or sacrificing their essential rights and privileges which we meant to defend. We likewise authorize you hereby to affix our names to the dissent and protest,\* which the House refused entering on their minutes.

We are respectfully,

Sir, Yours, &c.,

ISAAC SAUNDERS,

JOHN MONTGOMERY. [ix]

Having thus given a faithful account, both of the occasion of this Speech, and of its publication, it would be almost impossible not to quote a few passages from former Assemblies, to shew in what high terms, even of rapture and admiration, they continually mentioned our present constitution and plan of government.

"We hope, say they,† the people of Pennsylvania will never be wanting to acknowledge the great wisdom and singular goodness of our late honourable Proprietor, from whom we derive the privileges of our annual elections, as well as many other immunities which have so manifestly contributed to the prosperity of the Province, &c." Again,

"When‡ we commemorate the many blessings bestowed on the inhabitants of this colony, the *religious* and *civil liberties* we possess, and to whom these valuable blessings, under God and the King, are owing, we should be wanting to ourselves, and them that we represent, did we not do justice to the memory of thy worthy ancestor."

"Our§ happy constitution, secured to us by the wisdom and goodness of our first Proprietary and founder of this province, so happily continued to us under the government of his honourable descendants, justly entitle them to our affection and zeal for their honor and interest."

But it would be endless to quote all that has been said by our Assemblies, in favour of the constitution of this province, and its worthy founder. The sum of the whole, when taken from the minutes, and thrown together in their own express words, is nothing less than what follows.

\* As all the arguments in this *Protest* are to be found more at large in the following Speech, it is not printed here, but will be published by itself in the newspapers.

† Assembly 1730.

‡ Address to the honourable JOHN PENN, Esq., 1764.

§ Assembly 1738.



WILLIAM PENN,

<sup>1</sup> A man of principles truly humane,  
an Advocate for [x]

RELIGION and LIBERTY,

<sup>2</sup> *Possessing* a noble spirit  
That exerted itself

For the good of mankind,  
WAS

<sup>3</sup> The great and worthy founder  
Of

PENNSYLVANIA.

To its inhabitants, by CHARTER,

<sup>4</sup> He granted and confirmed

<sup>5</sup> Many singular PRIVILEGES and IMMUNITIES,

<sup>6</sup> CIVIL and RELIGIOUS ;

<sup>7</sup> Which he continually studied  
to preserve and defend for them,

*Nobly declaring*

<sup>8</sup> That they had not followed him so far  
To lose a single tittle

Of the GREAT CHARTER

To which all *Englishmen* were born !

*For these Services,*

<sup>9</sup> Great have been the acknowledgements  
Deservedly paid to his MERIT ;

<sup>10</sup> And his MEMORY

Is dear to his people,

*Who have repeatedly confessed*  
That,

<sup>11</sup> Next to divine Providence,

<sup>12</sup> Their Happiness, Prosperity and Increase  
<sup>13</sup> Are owing

To his wise conduct and singular goodness,

<sup>1</sup> Minutes 1734.

<sup>2</sup> Minutes 1740.

<sup>3</sup> Minutes 1738, 1740, 1745.

<sup>4</sup> Minutes 1755.

<sup>5</sup> Minutes 1730.

<sup>6</sup> Minutes 1734.

<sup>7</sup> Minutes 1735.

<sup>8</sup> Minutes 1756.

<sup>9</sup> Minutes 1740.

<sup>10</sup> Minutes 1719.

<sup>11</sup> Minutes 1725.

<sup>12</sup> Minutes 1731.

<sup>13</sup> Minutes 1734.



<sup>14</sup> Which deserve ever to be remembered,  
With

GRATITUDE and AFFECTION,  
BY PENNSYLVANIANS. [xi]

Were it intended to write the highest encomium on the constitution of this country, and to erect the most lasting monument to the memory of its illustrious founder, a more noble *inscription* could hardly be devised than what is contained in the foregoing minutes of Assembly; and a time may come when impartial posterity, notwithstanding the present ingratitude of a *few*, may perhaps adapt it for this purpose.

As to the wild measures now on foot, they will undoubtedly destroy themselves by their own violence; and it would be impossible to add anything that can more expose their rashness than what is contained in the following Speech. The Proprietors hold *their Right* by that charter under which ours is derived. Can the latter in law or equity be deemed more sacred than the former? Have the Proprietors, by any act of theirs, forfeited the least tittle of what was granted them by his Majesty's royal ancestors? Or can they be deprived of their charter rights without their own consent? Have they not constantly sheltered themselves under the wing of government, and received the approbation of his Majesty's first servants in the law to every material *Instruction* sent to their governors here?

In the present dispute nothing has been insisted upon on the part of our Governors but a strict adherence to what has been solemnly determined by his Majesty in Council.

Indeed we have every way the worst of this whole business. If a change were to take place, the Proprietors before they resign their charter, would certainly obtain a full equivalent for their *Rights of Government*, and likewise have all their *Rights of Property* secured to them by laws which we could not dispute. Such a change, were they inclined to it, could certainly be of very little prejudice to them; but with respect to us the case is quite different. Instead of securing anything in reversion or exchange, our representatives, by their present petition,

<sup>14</sup> Minutes 1732.

seem (so far at least as depends on them) to have offered up our whole charter rights, leaving it to the grace of others to return us any part, or indeed no part of them, according as it may be thought proper. But, thanks be to God, this is a power with which our representatives were never vested by us; and therefore the act they have committed is VOID in itself. Nor is there any doubt but an immense majority of the good people of this Province will still be found ready, at a proper time, to vindicate their charter rights, and to let the world know that they hold those men unworthy of all future trust, who could wantonly sport with things so sacred.

Former Assemblies made it an article of impeachment against one of the most considerable\* men of this Province "That he had contrived to violate (only) a part of the constitution of this government." But what would they have thought of an attempt to violate the whole?

We know it will be replied, that the change now proposed is not a violation of this kind, and that our privileges might be preserved in virtue of our *Laws*, even if our charter were given up. But a sufficient answer is given to this in page the 11th and 12th of the following [xii] *Speech*; and indeed it is astonishing that this argument could ever be made use of to impose upon any person, when it is well known that the chief privileges, by which the constitution of this province is distinguished, depend upon our charter alone, and upon no positive law whatever.

And here, let no wrong construction be put upon this defence of the particular constitution of *Pennsylvania*. Those who now contend for it, have the highest veneration for the dignity and authority of the Crown. They think themselves as much under its immediate protection as any of his Majesty's subjects on this continent are; and it is well known, that they have on all occasions been among the first of those who have appeared in defence of the just rights of our gracious Sovereign.

They think it may be said, without giving the least offence, that the inhabitants of this Province enjoy certain privileges

\*James Logan, Esq.

which are not to be found in the governments around them, and which they could not have the least hopes of preserving in case of any change of our present constitution. Multitudes of people have chosen a settlement in this Province, preferable to all others, on account of these privileges, and they now think that they have a right to the perpetual enjoyment of them ; as they are in no case inconsistent with good order or the public good. Many private corporations in his Majesty's dominions enjoy singular immunities upon the like foundation ; and those bodies have never been thought undutiful for adhering tenaciously to their rights, from age to age. Certainly we may be considered in a something higher light than Corporate Bodies of this kind.

Having swelled this preface to a much greater length than was at first intended, we shall only offer one remark more, upon the terms in which the *Petition* of our Assembly is said to be drawn up. We have heard that this Province is described in it as a scene of *riot, violence and confusion* ; but yet one can hardly judge it possible, that our representatives could venture to approach the royal ear with such an unjust account of their constituents. Nevertheless we have a right to insist on a copy of this petition from the committee in whose hands it is, that if we lie under any accusations in it, we may have an opportunity to answer them. This is so reasonable, that we are persuaded it cannot be refused, especially in a matter wherein we may be greatly affected.

We would only observe that the present is not a time for divisions of any kind in his Majesty's colonies ; but for the closest union among ourselves, that we may be able, by decent and just representation of the state of our country, to save it from burthens which it cannot bear, and to encourage it in those improvements whereof it is capable. Let it be remembered how little we have got by bringing our party quarrels before the Crown these many years past ; most certainly nothing but shame to ourselves, and a load of expense to our country, which, however beneficial it may have been to the *Agents* employed, has not been of the least service to the public.





THE SPEECH  
OF  
JOHN DICKINSON, ESQ., &c.

MR. SPEAKER,\*

When honest men apprehend their country to be injured, nothing is more natural than to resent and complain: but when they enter into consideration of the means for obtaining redress, the same virtue that gave the alarm, may sometimes, by causing too great a transport of zeal, defeat its own purpose; it being expedient for those who deliberate of public affairs, that their minds should be free from all violent passions. These emotions blind the understanding: they weaken the judgment. It, therefore, frequently happens, that resolutions formed by men thus agitated, appear to *them* very wise, very just, and very salutary; while others, not influenced by the same heats, condemn those determinations, as weak, unjust and dangerous. Thus, Sir, in councils it will always be found useful, to guard against even that indignation, which arises from integrity.

More particularly are *we* bound to observe the utmost caution in our conduct, as the experience of [2] many years may convince us, that all our actions undergo the strictest scrutiny. Numerous are the instances, that might be mentioned, of rights vindicated and equitable demands made in the province, according to the opinions entertained here, that in *Great Britain*, have been adjudged to be illegal attempts, and pernicious pretensions.

\* Isaac Norris, Esquire. *Note in Writings.*

These adjudications are the acts of persons vested with such dignity and power, as claim some deference from us: and hence it becomes not unnecessary to consider, in what light the\* measures now proposed may appear to those, whose sentiments from the constitution of our government, it will always be prudent to regard.

But on this important occasion, we ought not to aim only at the approbation of men, whose authority may censure and control us. More affecting duties demand our attention. The honor and welfare of *Pennsylvania* depending on our decisions, let us endeavour so to act, that we may enjoy our own approbation, in the cool and undisturbed hours of reflection: that we may deserve the approbation of the impartial world; and of posterity who are so much interested in the present debate.

No man, Sir, can be more clearly convinced than I am of the inconveniences arising from a strict adherence to proprietary instructions. We are prevented from demonstrating our loyalty to our excellent Sovereign, and our affection to our distressed fellow-subjects, unless we will indulge the Proprietors, with a distinct and partial mode of taxation, by which they will save perhaps four or five hundred pounds a year, that ought to go in ease of our constituents. [3]

This is granted on all sides to be unequal; and has, therefore, excited the resentment of this House. Let us resent—but let our resentment bear proportion to the provocation received; and not produce, or even expose us to the peril of producing, effects more fatal than the injury of which we complain. If the change of government now

\* The controversy between the Province and the Proprietaries, was,—Whether the estates of the Proprietaries should be taxed as the estates of other persons were. The Proprietaries claimed an exemption, and were supported in their claim by the *British Ministers*. The Assembly took this opportunity to attempt a change of the Government from proprietary to royal. *Note in Writings.*

meditated, can take place, with all our privileges preserved, let it instantly take place: but if *they* must be consumed in the blaze of royal authority, we shall pay too great a price for our approach to the throne; too great a price for obtaining (if we should obtain) the addition of four or five hundred pounds to the proprietary tax; or, indeed, for any emolument likely to follow from the change.

I hope I am not mistaken when I believe that every member in this House feels the same reverence that I do for these *inestimable rights*. When I consider the spirit of liberty that breathes in them, and the flourishing state to which this province hath risen in a few years under them, I am extremely desirous that they should be transmitted to future ages; and I cannot suppress my solicitude while steps are taking that tend to bring them all into danger. Being assured that this House will always think an attempt to change this government too hazardous, unless these privileges can be *perfectly secured*, I shall beg leave to mention the reasons by which I have been convinced that such an attempt ought not *now* to be made.

It seems to me, sir, that a people who intend an innovation of their government ought to chuse the most proper *time*, and the most proper *method*, for accomplishing their purposes; and ought seriously to weigh all the probable and possible *consequences* of such a measure. [4]

There are certain periods in public affairs when designs may be executed much more easily and advantageously than at any other. It hath been by a strict attention to every interesting circumstance, a careful cultivation of every fortunate occurrence, and patiently waiting till they have ripened into a favourable conjecture, that so many great actions have been performed in the political world.

It was through a rash neglect of this prudence, and too much *eagerness* to gain his point, that the Duke of *Monmouth* destroyed his own enterprise and brought himself



dishonourably to the block, though everything then verged towards a revolution. The Prince of Orange, with a *wise delay*, pursued the same views and gloriously mounted a throne.

It was through a like neglect of this prudence that the commons of *Denmark*, smarting under the tyranny of their nobility, in a fit of revengeful fury *suddenly* surrendered their liberties to their king; and ever since, with unavailing grief and useless execrations, have detested the *mad moment* which slipt upon them the shackles of slavery, which no struggles can shake off. With *more deliberation*, the *Dutch* erected a stadholdership, that hath been of signal service to their state.

That excellent historian and statesman, *Tacitus*, whose political reflections are so justly and universally admired, makes an observation in his third annal that seems to confirm these remarks. Having mentioned a worthy man of great abilities, whose ambitious ardour hurried him into ruin, he uses these words, "*quod multos etiam bonos pessum dedit, qui spretis quæ tarda cum securitate, præmatura vel cum exitio properant.*" "Which misfortune hath happened to many good men, who despising [5] those things which they might *slowly* and *safely* attain, seize them too hastily, and with fatal speed rush upon their own destruction."

If then, Sir, the best intentions may be disappointed by too rapid a prosecution of them, many reasons induce me to think, that this is not the *proper time* to attempt the change of our government.

It is too notorious and too melancholy a truth, that we now labor under the disadvantage of royal and ministerial displeasure. The conduct of this province during the late war, has been almost continually condemned at home. We have been covered with the reproaches of men, whose stations give us just cause to regard their reproaches. The

last letters from his majesty's secretary of state prove, that the reputation of the province has not yet revived. We are therein expressly charged with double dealing, disrespect for his Majesty's orders, and in short, accusations, that shew us to be in the utmost discredit. Have we the least reason to believe, when the transactions of this year and the cause of our application for a change, are made known to the king and his ministers, that their resentment will be waived? Let us not flatter ourselves. Will they not be more incensed when they find the public service impeded, and his majesty's dominions so long exposed to the ravages of merciless enemies, by our inactivity and obstinacy, as it will be said? For this, I think, hath been the constant language of the minority on the like occasions. Will not their indignation rise beyond all bounds when they understand that our hitherto denying to grant supplies, and our application for a change, proceed from the governor's strict adherence to the terms of the stipulations, so solemnly made, and so repeatedly approved, by the late and present King? [6]

But I may perhaps be answered, "that we have agreed to the terms of the stipulations, according to their true meaning, which the governor refuses to do." Surely, Sir, it will require no slight sagacity in distinguishing, no common force of argument, to persuade his Majesty and his Council, that the refusal to comply with the true meaning of the stipulations proceeds from the Governor, when he insists on inserting in our bill the very words and letters of those stipulations.

"But these stipulations were never intended to be inserted *verbatim* in our bills, and our construction is the most just." I grant it appears so to *us*, but much I doubt whether his Majesty's Council will be of the same opinion. That Board and this House have often differed as widely in their sentiments. *Our* judgment is founded on the



knowledge we have of facts, and of the purity of our intentions. The judgment of *others*, is founded on the representations made to them of those facts and intentions. These representations may be unjust; and, therefore, the decisions that are formed upon them may be erroneous. If we are rightly informed, we are represented as the mortal enemies of the proprietors, who would tear their estates to pieces unless some limit was fixed to our fury. For *this purpose* the second and third articles of the stipulations were formed. The inequality of the mode was explained and enlarged upon by the provincial counsel; but in vain. I think, I have heard a worthy member who lately returned from *England* mention these circumstances.

If this be the case, what reasonable hope can we entertain of a more favourable determination *now*? The Proprietors are still living. Is it not highly probable that they have interest enough, either to prevent the change or to make such terms as will fix upon us *forever* those demands that appear so ex-[7] tremely just to the *present Ministers*? One of the Proprietors appears to have great intimacy and influence with some very considerable members of his Majesty's Council. Many men of the highest character, if public reports speak truth, are now endeavouring to establish proprietary governments, and, therefore, probably may be more readily inclined to favour proprietary measures. The very gentlemen who *formed* the articles of the stipulations *are now in power*, and, no doubt, will inforce their *own acts* in the strictest manner. On the other hand, every circumstance that now operates against us, may in time turn in our favour. We may, perhaps, be fortunate enough, to see the present prejudices against us worn off; to recommend ourselves to our Sovereign and to procure the esteem of some of his ministers. I think I may venture to assert that such a period will be infinitely more proper than the present, for attempting a change of our government.

With the permission of the House, I will now consider the *manner* in which this attempt is carried on; and I must acknowledge that I do not in the least degree approve of it.

The time may come when the weight of this government may grow too heavy for the shoulder of a subject, at least too heavy for those of a woman, or an infant. The proprietary family may be so circumstanced as to be willing to accept of such an equivalent for the government from the crown, as the crown may be willing to give. Whenever this point is agitated, either on a proposal from the crown or proprietors, this province may plead the cause of her privileges with greater freedom and with greater probability of success than at present. The royal grant, the charter founded upon it, the public faith pledged to the adventurers for the security of those rights to them and their posterity, whereby they were encouraged to combat the dangers, I had almost said, of another world; to establish the British power in remotest regions, and add inestimable dominions with the most extensive commerce to their native country; the high value and veneration we have for these privileges, the afflicting loss and misfortune we should esteem it, to be deprived of them, and the unhappiness in which his Majesty's faithful subjects in this province would thereby be involved; our inviolable loyalty and attachment to his Majesty's person and illustrious family, whose sovereignty hath been so singularly distinguished by its favourable influence on the liberties of mankind.—All these things may then be properly insisted on. If urged with that modest heart-felt energy, with which good men should always vindicate the interests of their country, before the best of sovereigns,\* I should not despair of a gracious attention to our humble

\* The preceding six words are struck out in *Writings*.—Ed.

request. Our petition in such a case would be simple, respectful and perhaps affecting.

But in the present mode of proceeding, it seems to me, that we preclude ourselves from every office of decent duty to the most excellent of Kings, and from that right of earnestly defending our privileges, which we should otherwise have. The foundation of this attempt, I am apprehensive, will appear to others, *peculiarly unfortunate*. In a sudden passion, it will be said against the Proprietors, we call out for a change of government. Not from reverence for his Majesty, not from a sense of his paternal goodness to his people, but because we are angry with the Proprietors, and tired of a dispute founded on an order approved by his Majesty and his royal grandfather.

Our powerful friends on the other side of the *Atlantic*, who are so apt to put the kindest constructions on [9] our actions, will, no doubt, observe "that the conduct of the people of *Pennsylvania* must be influenced by very extraordinary councils, since they desire to come *more immediately* under the King's command, BECAUSE they will *not obey* those royal commands which have been already signified to them."

But here it will be said, nay it has been said, and the petition before the House is drawn accordingly, "we will not alledge this dispute with the Governor on the stipulations, but the general inconveniences of a proprietary government as the cause of our desiring a change." 'Tis true we may act in this artful manner, but what advantages shall we gain by it? Though *we* should keep the secret, can we seal up the lips of the Proprietors? Can we recall our message to the Governor? Can we annihilate our own resolves? Will not all—will not any of these discover the *true cause* of the present attempt?

Why, then, should we unnecessarily invite fresh invectives in the very beginning of a most important business,



that, to be happily concluded, requires all the favour we can procure and all the dexterity we can practice?

We intend to surround the throne with petitions that our government may be changed from proprietary to royal: at the same time we mean to preserve our privileges: but how are these two points to be reconciled?

If we express our desire for the preservation of our privileges, in so general or faint a manner as may induce the King to think they are of no great consequence to us, it will be nothing less than to betray our country. [10]

If, on the other hand, we inform his Majesty "that though we *request* him to change the government, yet we *insist* on the preservation of our privileges," certainly it will be thought an unprecedented stile of petitioning the crown, that humbly asks a favour and boldly prescribes the terms on which it must be granted.

How then shall we act? Shall we speak, or shall we suppress our sentiments? The first method will render our request incoherent: the second will render it dangerous. Some gentlemen are of opinion that these difficulties may be solved by intrusting the management of this affair to an Agent; but I see no reason to expect such an effect. I would first observe that this matter is of too prodigious consequence to be trusted to the discretion of an Agent. But if it shall be committed by this House, *the proper guardian of the public liberties*, to other hands, this truth must at some time or other be disclosed: "that we will never consent to a change unless our privileges are preserved." I should be glad to know with what finesse this matter is to be conducted. Is the agent to keep our petition to the crown in his pocket till he has whispered to the ministry? Will this be justifiable? Will it be decent? Whenever he applies to *them*, I presume, they will desire to know his authority for making such an application. Then our petition must appear; and whenever

it does appear, either at first or last, *that*, and the others transmitted with it, I apprehend, will be the foundation of any resolutions taken in the King's Council.

Thus, in whatever view this transaction is considered, shall we not still be involved in the dilemma already mentioned, "of begging a favour from his Majesty's goodness, and yet showing a distrust that the royal hand, stretched out at our own request for our relief, may do us an injury?" [11]

Let me suppose, and none can offer the least proof of this supposition being unreasonable, that his Majesty will not accept of the government, clogged, as it will be said, with privileges inconsistent with the royal rights: how shall we act then? We shall have our choice of two things: one of them destructive, the other dishonourable. We may either renounce the laws and liberties framed and delivered down to us by our careful ancestors: or we may tell his Majesty with a surly discontent, "that we will not submit to his *implored protection*, but on such conditions as we please to impose on him." Is not this the inevitable and dreadful \* alternative, to which we shall reduce ourselves?

In short, Sir, I think the farther we advance in the path we are now in, the greater will be the confusion and danger in which we shall engage ourselves. Any body of men acting under a charter, must surely tread on slippery ground when they take a step that may be deemed a surrender of that charter. For my part, I think the petitions that have been carried about the city and country to be signed, and are now lying on the table, can be regarded in no other light than as a surrender of the charter, with a short indifferent hint annexed of a desire that our privileges may be spared if it shall be thought proper. Many

\* "and dreadful" struck out in *Writings*.—Ed.

striking arguments may, in my opinion, be urged, to prove that any request made by this House for a change may, with still greater propriety be called a surrender. The common observation "that many of our privileges do not depend on our charter only, but are confirmed by laws approved by the Crown," I doubt will have but little weight with those who will determine this matter.

It will readily be replied, "that these laws were founded on the charter; that they were calculated for a proprietary government, and for no other, and ap- [12] proved by the Crown in that view alone; that the proprietary government is now acknowledged by the people living under it to be a bad government, and the Crown is intreated to accept a surrender of it: that, therefore, by abolishing the proprietary government, everything founded upon it must of consequence be also abolished."

However, if there should be any doubts in the law on these points, there is an easy way to solve them.

These reflections, Sir, naturally lead me to consider the *consequences* that may attend a change of our government, which is the last point I shall trouble the House upon at this time.

It is not to be questioned, but that the Ministry are desirous of vesting the immediate government of this Province advantageously in the Crown. Tis true, they don't chuse to act arbitrarily, and tear away the present government from us without our consent. This is not the age for such things. But let *us* only furnish them with a pretext, by pressing petitions for a change; let us only relinquish the hold we now have, and in an instant we are precipitated from that envied height where we now stand. The affair is laid before the Parliament, the desires of the Ministry are insinuated, the rights of the Crown are vindicated, and an act passes to deliver us at once from the government of Proprietors, and the privileges we claim under them.



Then, Sir, we, who *in particular* have presented to the authors of the fatal change this *long-wished* for opportunity of effecting it, shall, for *our assistance*, be entitled to their thanks—*Thanks!* which I am persuaded every worthy member of this House would *abhor* to deserve and would *scorn* to receive. [13]

It seems to be taken for granted that by a change of government we shall obtain a change of those measures which are so displeasing to the people of this Province—that justice will be maintained by an equal taxation of the proprietary estates—and that our frequent dissensions will be turned into peace and happiness.

These are effects indeed sincerely to be wished for by every sensible, by every honest man; but reason does not always teach us to expect the warm wishes of the heart. Could our gracious Sovereign take into consideration the state of every part of his extended dominions, we *might* expect redress of every grievance; for with the most implicit conviction, I believe he is as just, benevolent and amiable a Prince as heaven ever granted in its mercy to bless the people. I venerate his virtues beyond all expression. But *his* attention to our particular circumstances being impossible, we must receive our fate from ministers; and from *them* I do not like to receive it.

We are not the subjects of ministers; and, therefore, it is not to be wondered at if they do not feel that tenderness for us that a good prince will always feel for his people. Men are not born ministers. Their ambition raises them to authority, and when possessed of it, one established principle with them seems to be, “never to deviate from a precedent of power.”

Did we not find in the late war, though we exerted ourselves in the most active manner in the defence of his Majesty’s dominions, and in promoting the service of the Crown, every point in which the Proprietors thought fit to

make any opposition, decided against us? Have we not also found, since the last disturbance of the public peace by our savage enemies, the conduct of the late Governor highly applauded by the ministry, for his adher-[14]ence to those very stipulations now insisted on, and ourselves subjected to the *bitterest reproaches*, only for attempting to avoid burthens, that were thought extremely grievous. Other instances of the like kind I pass over to avoid a tedious recapitulation.

Since then the gale of ministerial favour has in *all seasons* blown propitious to proprietary interests, why do we now fondly flatter ourselves that it will *suddenly* shift its quarter? Why should we with an *amazing credulity* now fly for *protection* to *those* men, trust *everything* to *their* mercy, and ask the most distinguishing *favours* from *their* kindness, from whom we complained a few months ago that we could not obtain the most reasonable requests? Surely, Sir, we must acknowledge one of these two things: either, that our *complaint* was then *unjust*, or, that our *confidence* is now *unwarranted*. For my part, I look for a rigid perseverance in former measures. With a new government I expect new disputes. The experience of the royal colonies convinces me that the immediate government of the Crown is not a security for that tranquility and happiness we promise ourselves from a change. It is needless for me to remind the House of all the frequent and violent controversies that have happened between the King's Governors in several provinces and their Assemblies. At this time, if I am rightly informed, *Virginia* is struggling against an instruction relating to their paper currency,\* that will be attended, as that colony apprehends, with the most destructive consequences if carried into execution.

Indeed, Sir, it seems vain to expect, where the spirit of

\* "relating to their paper currency" omitted in *Writings*.—Ed.



liberty is maintained among a people, that public contests should not *also* be maintained. Those who *govern*, and those who *are governed*, seldom think they can gain too much on one another. Power is like the *ocean*, not easily admitting limits to be fixed in it. It must be [15] in motion. Storms, indeed, are not desirable, but a long dead calm is not to be looked for, perhaps, not to be wished for. Let not *us* then, in expectation of *smooth seas* and an *undisturbed course*, too rashly venture our *little vessel* that hath safely sailed round *our own well known* shores, upon the *midst* of the *untry'd deep*, without being first fully convinced that her *make* is strong enough to bear the *weather* she may meet with, and that she is well *provided* for so long and so dangerous a voyage.

No man, Sir, amongst us hath denied, or will deny, that this Province must *stake* on the event of the present attempt, liberties that ought to be immortal—*Liberties!* founded on the acknowledged rights of human nature and restrained in our mother-country, only by an unavoidable necessity of adhering in some measure to long-established customs. Thus hath been formed between old errors and hasty innovations an entangled chain, that our ancestors either had not moderation or leisure enough to untwist.

I will now briefly enumerate, as well as I can recollect, the particular privileges of Pennsylvania.

In the first place, we here enjoy that best and greatest of all rights, *a perfect religious freedom*.

Posts of honour and profit are unfettered with *oaths* or *tests*, and, therefore are open to men whose abilities, strict regard to their conscientious persuasion, and unblemished characters qualify them to discharge their duties with credit to themselves and advantage to their country. Thus justice is done to merit, and the public loses none of its able servants.\*

\* This sentence is omitted in *Writings*.—Ed.

The same wisdom of our laws has guarded against the absurdity of granting greater credit even to villains, [16] if they will swear, than to men of virtue, who from religious motives cannot. Therefore, those who are conscientiously scrupulous of taking an oath, are admitted as witnesses in criminal cases. Our legislation suffers no checks from a council instituted \* in fancied imitation of the House of Lords. By the right of sitting on our own adjournments, we are secure of meeting when the public good requires it: and of not being dismissed when private passions demand it. At the same time, the strict discharge of the truth committed to Us, is enforced by the short duration of our power, which must be renewed by our constituents every year.

Nor are the people stripped of all authority in the execution of laws. They enjoy the satisfaction of having some share, by the appointment of provincial commissioners, in laying out the money which they raise, and of being in this manner assured that it is applied to the purposes for which it was granted. They also elect sheriffs and coroners, officers of so much consequence in every determination that affects honour, liberty, life or property.

Let any impartial person reflect how contradictory some of these privileges are to the most ancient principles of the English constitution, and how directly opposite other of them are to the settled prerogatives of the crown, and then consider what probability we have of retaining them on a *requested*† change: that is of continuing in fact a proprietary government, though we humbly pray the King to change this government. Not unaptly, in my opinion, the connection between the proprietary family and this Province may be regarded as a marriage. Our privileges

\* Appointed by the Crown. *Note in Writings.*

† *Imperium facile iis artibus retinetur, quibus initio partum est.* Sall. Bell. Catalia.

may be called the fruits of that marriage. The domestic peace of this family, it is true, has not been untroubled with quarrels and complaints. But the pledges of their affection ought always to be esteemed: and whenever the parents on an *imprudent request* shall be *divorced*, much I fear that their *issue* will be declared *illegitimate*. *This* I am well persuaded of, that surprising must our behaviour appear to all men, if in the instant when we apply to his Majesty for relief from what we think oppression, we should discover a resolute disposition to deprive him of the uncontroverted prerogatives of his royal dignity.

At this period when the administration is regulating new colonies, and designing, as we are told, the *strictest reformati-<sup>o</sup>ns*\* in the old, it is not likely that they will grant an invidious distinction in our favour. Less likely is it, as that distinction will be liable to so many, and such strong *constitutional* objections; and when we shall have the weight both of the clergy and ministry, and the universally received opinions of the people of our mother country to contend with.

I mean not, Sir, the least reflection on the church of *England*. I reverence and admire the purity of its doctrine and the moderation of its temper. I am convinced that it is filled with learned and with excellent men: but all zealous persons think their own religious tenets the best, and would willingly see them embraced by others. I, therefore, apprehend that the dignified and reverend gentlemen of the church of *England* will be extremely desirous to have *that* church as well secured, and as much distinguished as possible in the American colonies: especially in those colonies where it is overborne, as it were, by dissenters. There never can be a more critical opportunity for this purpose than the present. The cause of the

\*Some late Acts of Parliament shew what strict reformati-<sup>o</sup>ns are to be made in the Colonies.

church will besides be con- [18] nected with that of the crown, to which its principles are thought to be more favourable than those of the other professions.

We have received certain information that the conduct of this Province, which has been so much censured by the ministry, is attributed to the influence of a society, that holds warlike measures at all times to be unlawful.\* We also know that the late tumultuous and riotous proceedings, which are represented in so strong a light by the petition, now before the House, have been publicly ascribed to the influence of another society. Thus the blame of everything disreputable to this province is cast on one or the other of these dissenting sects. Circumstances! that, I imagine, will neither be forgot nor neglected.

We have seen the event of our disputes concerning the *Proprietary* interests; and it is not to be expected that our success will be greater when our opponents become more numerous, and will have more dignity, more power, and, as they will think, more law on their side.

These are the dangers, Sir, to which we are now about to expose those privileges in which we have hitherto so much gloried. *Wherefore?* To procure two or three, perhaps four or five hundred pounds a year (for no calculation has carried the sum higher), from the Proprietors, for two or three or four or five years, for so long and something longer, perhaps, the taxes may continue.

But are we sure of gaining this point? *We are not.* Are we sure of gaining any other advantage? *We are not.* Are we sure of preserving our privileges? *We are not.* Are we under a necessity of pursuing the measure proposed at this time? *We are not.* [19]

\* In the *Writings* this is altered to read: "is attributed to the influence of one religious society" and the remainder of the sentence is omitted.—*Ed.*

Here, Sir, permit me to make a short pause. Permit me to appeal to the heart of every member in this House, and to entreat him to reflect how far he can be justifiable in giving his voice, thus to hazard the liberties secured to us by the wise founders of this Province; peaceably and fully enjoyed by the present age, and to which posterity is so justly entitled.

But, Sir, we are told there is no danger of losing our privileges if our government should be changed, and two arguments are used in support of this opinion. The first is, "That the government of the Crown is exercised with so much lenity in *Carolina* and the *Jerseys*." I cannot perceive the least degree of force in this argument. As to *Carolina*, I am not a little surprized, that it should be mentioned on this occasion, since I never heard of one privilege that colony enjoys more than all the royal governments in *America*. The privileges of the *Jerseys* are of a different nature from many of which we are possess; and are more consistent with the royal prerogative.

Indeed I know of none they have, except that \* *Quakers* may be witnesses in criminal cases, and may bear offices. Can this indulgence shewn to them for a particular reason, and not contradictory to the rights of the crown, give us any just cause to expect the confirmation of privileges directly opposite to those rights, and for confirming which no such reason exists. But, perhaps, the gentlemen who advance this argument mean that *we* shall purchase a change at a cheap price if we are only reduced to the same state with the *Jerseys*. Surely, Sir, if this be their meaning, they entirely forget those extraordinary privileges which some time ago were mentioned. [20]

How many must we in such a case renounce? I apprehend it would prove an argument of little consolation to these gentlemen if they should lose three-fourths of their

\* In the *Writings* "the People called" is added here.—*Ed.*



estates, to be sold, that they still remain as rich as their neighbors, and have enough to procure all the necessities of life.

It is somewhat remarkable that this single instance of favour, in permitting an affirmation instead of an oath, in a single province, should be urged as so great an encouragement to us, while there are so many examples of another kind to deter us. In what *royal government* besides the *Jerseys* can a *Quaker* be a witness in criminal cases, and bear offices? \* *In no other.* What can be the reason of this distinction in the *Jerseys*? Because in the infancy of that colony, when it came under the government of the crown, there was, as appears from authentic vouchers, an ABSOLUTE NECESSITY from the scarcity of other proper persons, to make use of the people called *Quakers* in public employments. Is there such a necessity in this Province? Or can the ministry be *persuaded* that there is such a necessity? No, Sir, those from whom they will receive information will grant no such thing; and, therefore, I think there is the *most imminent danger*, in case of a change, that the people of *this society* will lose the exercise of those rights, which, though they are entitled to as men, yet such is the situation of human affairs, they with difficulty can find a spot on the whole globe where they are allowed to enjoy them. It will be an argument of some force, I am afraid, that the church of *England* can never expect to raise its head among us, while we are encouraged, as it will be said, in dissension; but if an *oath* be made necessary for obtaining offices of honour and profit, it will then be expected that any *Quakers* [21] who are tempted to renounce their principles, will undoubtedly make an addition to the established church.

If any other consideration than that which has been

\*It is said that a *Quaker* was lately committed to gaol in New York, because he would not swear in a criminal case.



mentioned was regarded in granting that indulgence in the *Jerseys*, though no other is expressed, it seems not improbable that the nearness of this Province might have had some weight, as from its situation it afforded such strong temptations to the inhabitants of the *Jerseys* to remove hither had they been treated with any severity.

Their government, in some measure, was formed in imitation of our government ; but when this is altered, the *English* constitution must be the model by which it will be formed.

Here it will be said, "this cannot be done but by the Parliament ; and will a British Parliament do such an act of injustice as to deprive us of our rights?" This is the second argument used to prove the safety of the measures now proposed.

Certainly the *British* Parliament will not do what they think an unjust act : but I cannot persuade myself that *they* will think it unjust to place us on the same footing with themselves. It will not be an easy task to convince them that the people of *Pennsylvania* ought to be distinguished from all other subjects under his Majesty's *immediate* government, or that such a distinction can answer any good purpose. May it not be expected that they will say : "No people can be freer than ourselves ; everything "more than we enjoy is licentiousness, not liberty : any "indulgences shown to the colonies heretofore were like "the indulgences of parents to their infants ; they ought "to cease with that tender age, and, as the colonies grow "up to a more vigorous state, they ought to be carefully "disci [22] plined, and all their actions regulated by strict "laws. Above all things, it is necessary that the prerogative should be exercised with its full force in our American provinces, to restrain them within due bounds and "secure their dependance on this kingdom."\*

\* The subsequent conduct of *Great Britain*, has fully evinced her resolution to adhere to such political maxims as these. *Note in Writings.*

I am afraid that this will be the opinion of the Parliament, as it has been, in every instance, the undeviating practice of the ministry.

But, Sir, it may be said "these reasons are not conclusive, they do not demonstratively prove that our privileges *will be* endangered by a change." I grant the objection: but what stronger reasons, what clearer proofs are there that they *will not be* endangered by a change.

They are safe now; and *why* should we engage in an enterprise that will render them *uncertain*? If nothing will content us but a revolution brought about by ourselves, surely we ought to have made the strictest enquiries what terms we may expect, and to have obtained from the ministry some kind of security for the performance of those terms.

These things might have been done. They are not done. If a merchant will venture to travel with great riches into a foreign country, without a proper guide, it certainly will be adviseable for him to procure the best intelligence he can get of the climate, the roads, the difficulties he will meet with, and the treatment he may receive.

I pray the House to consider, if we have the slightest security that can be mentioned, except opinion (if that is any) either for the preservation of our present privileges, or gaining a single advantage from a change. [23] Have we any writing? have we a verbal promise from any Minister of the Crown? We have not. I cannot, therefore, conceal my astonishment, that gentlemen should require a less security for the invaluable rights of *Pennsylvania* than they would demand for a debt of five pounds. Why should we press forward with this unexampled hurry when no benefit can be derived from it? Why should we have any aversion to deliberation and delay when no injury can attend them?

It is scarcely possible, in the present case, that we can spend too much time in forming resolutions, the consequences of which are to be *perpetual*. If it is true, as some aver, that we can *now* obtain an advantageous change of government, I suppose that it will be also true next week, next month, and next year; but if *they* are mistaken it will be early enough whenever it happens to be disappointed and to repent. I am not willing to run risques in a matter of such prodigious importance on the credit of *any man's opinion*, when by a small delay, that can do no harm, the steps we are to take may become more safe. *Gideon*, though he had conversed with an "angel of the Lord," would not attempt to relieve his countrymen, then sorely oppress by the *Midianites*, least he should involve them in greater miseries, until he was convinced by two miracles that he should be successful. I do not say we ought to wait for *miracles*, but I think we ought to wait for something which will be next kin to a miracle; I mean, some *sign* of a *favourable disposition* in the *ministry* towards us. I should like to see an *olive leaf* at least brought to us, before we quit the *ark*.

Permit me, Sir, to make one proposal to the House. We may apply the Crown now, as freely as if we were under its immediate government. Let us desire his Majesty's judgment on the point \* that has occasioned this unhappy difference between the two branches of the [24] legislature. This may be done without any † violence, without any hazard of our constitution. We say the justice of our de-

\* This point was one of the stipulations approved by the Crown, in favour of the proprietors, with respect to the taxation of their estate. The governor, one branch of the legislature, insisted upon inserting in the bill then under consideration, the words of the stipulation; and thus adhered to the stipulation. The house of assembly, the other branch of the legislature, insisted upon taxing the proprietary estate, without being thus bound. *Note in Writings.*

† Nihil vi, nihil secessionis opus est. Sall. Bell. Jugurth.

mands is clear as light; every heart must feel the equity of them.

If the decision be in our favour, we gain a considerable victory; the grand obstruction of the public service is removed, and we shall have more leisure to carry our intentions coolly into execution. If the decision be against us, I believe the most zealous amongst us will grant it would be madness to expect success in any other contest. This will be a single point, and cannot meet with such difficulties as the procuring a total alteration of the government. Therefore, by separating it from other matters we shall *soon* obtain a determination, and know *what chance* we have of succeeding in things of greater value. Let us try our fortune. Let us take a cast or two of the dice for smaller matters before we dip deeply. Few gamesters are of so sanguine a temper as to stake their *whole wealth* on *one* desperate throw at first. If we *are* to *play* with the *public happiness*, let us act at least with *as much* deliberation as if we were *betting* out of our private purses.

Perhaps a little delay may afford us the pleasure of finding our constituents more unanimous in their opinions on this interesting occasion: and I should chuse to see a vast majority of them join with a calm resolution in the measure before I should think myself justifiable in voting for it, even if I approved of it.

The present question is utterly foreign from the purposes for which we were sent into this place. There was not the least probability at the time we were elected that this matter could come under our consideration. We are not debating how much money we shall [25] raise, what laws we shall pass for the regulation of property, nor on anything of the same kind that arises in the usual parliamentary course of business. We are now to determine WHETHER A STEP SHALL BE TAKEN THAT MAY PRODUCE AN ENTIRE CHANGE OF OUR CONSTITUTION.

In forming this determination one striking reflection should be preserved in our minds; I mean, "that we are the servants of the people of *Pennsylvania*"—of *that people* who have been induced by the excellence of the present constitution, to settle themselves under its Protection.

The inhabitants of remote countries, impelled by that love of liberty which allwise Providence has planted in the human heart, deserting their native soils, committed themselves with their helpless families to the mercy of winds and waves, and braved all the terrors of an unknown wilderness in hopes of enjoying in these woods the exercise of those invaluable rights which some unhappy circumstance had denied to mankind in every other part of the earth.

Thus, Sir, the people of *Pennsylvania* may be said to have *purchased* an inheritance in its constitution, at a prodigious price; and I cannot believe, unless the strongest evidence be offered, that they are now willing to part with that which has cost them so much toil and expence.

They have not hitherto been disappointed in their wishes. They have obtained the blessings they sought for.

We have received these seats by the free choice of this people under this constitution; and to preserve it [26] in its utmost purity and vigour, has always been deem'd by me a principal part of the trust committed to my care and fidelity. The measure now proposed has a direct tendency to endanger this constitution, and, therefore, in my opinion, we have *no right* to engage in it without the *almost universal consent of the people* exprest in the plainest manner.

I think I should improperly employ the attention of this House if I should take up much time in proving that the deputies of a people have not a right, by any law divine or human, to change the government under which their



authority was delegated to them, without such a consent as has been mentioned.—The position is so consonant to natural justice and common sense, that I believe it never has been seriously controverted. All the learned authors that I recollect to have mentioned this matter speak of it as an indisputable maxim.

It may be \* said, perhaps, in answer to this objection, “that it is not intended to change the government, but the governor.” This, I apprehend, is a distinction only in words. The government is certainly to be changed from proprietary to royal, and *whatever may be intended*, the question is, whether such a change will not expose our present privileges to danger.

It may also be said “that the petitions lying on the table are a proof of the people’s consent.” Can petitions so industriously carried about, and after all the pains taken, signed only by about thirty-five hundred persons, be look’d on as the *plainest expression of the almost universal consent* of the many thousands that fill this Province? No one can believe it. [27]

It cannot be denied, Sir, that much the greatest part of the inhabitants of this Province, and among them men of large fortunes, good sense, and fair characters, who value very highly the interest they have in the present constitution, have not signed these petitions, and, as there is reason to apprehend, are extremely averse to a change at this time. Will they not complain of such a change? And if it is not attended with all the advantages they now enjoy, will they not have reason to complain? It is not improbable that this measure may lay the foundation of more bitter and more lasting dissensions among us than any we have yet experienced.

Before I close this catalogue of unhappy consequences,

\* This was frequently said in the House.

that I expect will follow our request of a change, I beg leave to take notice of the *terms* of the petition that is now under the consideration of the House.

They equally excite in my breast—surprise, and grief, and terror. This poor Province is already sinking under the weight of the discredit and reproaches that, by *some fatality*, for several years past have attended our public measures; and we not only seize this unfortunate season to engage her in new difficulties, but prepare to pour on her devoted head a load that must effectually crush her. We inform the King by this petition that *Pennsylvania* is become a scene of confusion and anarchy: that armed mobs are marching from one place to another: that such a spirit of violence and riot prevails as exposes his Majesty's good subjects to constant alarms and danger: and that this tumultuous disposition is so general that it cannot be controuled by any powers of the present government; and that we have not any hopes of returning to a state of peace and safety but by being taken under his Majesty's immediate protection. [28]

I cannot think this a proper representation of the present state of this Province. Near four months are elapsed since the last riot, and I do not perceive the least probability of our being troubled with any more. The rioters were not only successfully opposed, and prevented from executing their purpose, but, we have reason to believe, that they were convinced of their error, and have renounced all thoughts of such wild attempts for the future. To whose throat is the sword now held? What life will be saved by this application? Imaginary danger! Vain remedy! Have we not *sufficiently felt* the effects of royal resentment? Is not the authority of the Crown *fully enough exerted* over us? Does it become *us* to paint, in the strongest colours, the folly or the crimes of our *countrymen*? To require unnecessary protection against men

who intend us no injury, in such *loose* and *general* expressions as may produce even the establishment of an armed force among us?

With unremitting vigilance, with undaunted virtue, should a free people *watch* against the encroachments of power, and *remove* every pretext for its extension.

*We* are a dependant colony; and we need not doubt that means will be used to secure that dependance. But that we ourselves should furnish a reason for settling a *military establishment* upon us, must exceed the most extravagant wishes of those who would be most pleased with such a measure.

*We* may introduce the innovation, but we shall not be able to stop its progress. The precedent will be pernicious. If a specious pretence is afforded for maintaining a small body of troops among us now, equally specious pretences will never be wanting hereafter for adding to their numbers. The burthen that will be imposed on us for their support is the most trifling [29] part of the evil. The poison will soon reach our vitals. Whatever struggles we may make to expell it,

*Hæret lateri lethalis arundo—*

The dart with which we are struck will still remain fixed—too firmly fixed, for our feeble hands to draw it out. Our fruitless efforts will but irritate the wound, and at length we must tamely submit to—I quit a subject too painful to be dwelt upon.

These, Sir, are my sentiments on the petition that has occasioned this debate. I think this neither the *proper season* nor the *proper method* for obtaining a change of our government. It is *uncertain* whether the measures proposed will place us in a better situation than we are now in, with regard to the point lately controverted; with respect to other particulars, it may place us in a worse. We shall run the *risque* of suffering great losses. We have no

*certainty* of *gaining* anything. In seeking a *precarious*, *hasty*, *violent* remedy for the present *partial* disorder, we are *sure* of exposing the *whole body* to danger. I cannot perceive the necessity of applying such a remedy. If I did, I would with the greatest pleasure pass over to the opinion of some gentlemen who differ from me, whose integrity and abilities I so much esteem, that whatever reasons at any time influence me to agree with them, I always receive a satisfaction from being on their side. If I have erred now, I shall comfort myself with reflecting that it is an *innocent error*. Should the measures pursued in consequence of this debate be opposite to my opinion, and should they procure a change of government with all the benefits we desire, I shall not envy the praise of others, who by their *fortunate* courage and skill have conducted us unhurt, through the midst of such threatening dangers, to the wished for port. I shall cheer- [30] fully submit to the censure of having been *too apprehensive* of injuring the people of this Province. If any severer sentence shall be passed upon me by the worthy, I shall be sorry for it; but this truth I am convinced of, that it will be much easier for me to bear the unmerited reflections of *mistaken zeal* than the just reproaches of a *guilty mind*. To have concealed my real sentiments, or to have counterfeited such as I do not entertain, in a deliberation of *so much consequence* as the present, would have been the *basest hypocrisy*. It may, perhaps, be thought that this, however, would have been the most *politic* part for me to have acted. It might have been so. But if *policy* requires, that our words or actions should *belye* our hearts, I thank God that I *detest* and *despise* all its *arts* and all its *advantages*. A good man *ought* to serve his country, even though she *resents* his services. The great reward of honest actions is not the fame or profit that follows them, but the *consciousness* that attends them. To discharge on this important occa-

sion the *inviolable duty* I owe the public, by obeying the *unbiassed dictates* of my *reason* and *conscience*, hath been my sole view; and my only wish now is that the resolutions of this House, whatever they are, may promote the happiness of *Pennsylvania*.

FINIS.







A PROTEST

AGAINST A

RESOLUTION OF THE ASSEMBLY OF PENNSYLVANIA

FOR PETITIONING THE KING

TO CHANGE THE COLONY OF PENNSYLVANIA

FROM A

PROPRIETARY TO A ROYAL GOVERNMENT.

BY

JOHN DICKINSON.

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MAY 28, 1764.





## NOTE.

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IN spite of Dickinson's *Speech*, the Pennsylvania Assembly voted, on May 24, to petition the crown to make the colony a royal one. Four days later "Mr. Dickinson having then digested the heads of his speech into the nature of a *Protest*, in which he was joined by Mr. Saunders and Mr. Montgomery, offer'd it to be entered in the minutes; but it was refused." (Smith's *Preface*, *ante*, p. 14.) "It being moved by some Members, that they should be admitted to enter their Reasons, by way of Protestation against a late Measure resolved on by a Majority of the House, the Question was put, and carried in the Negative—Yeas, Three, Mr. Dickinson, Mr. Saunders, and Mr. Montgomery;—Nays, Twenty-four." (*Votes and Proceedings*, V, 349). Franklin, in his preface to Galloway's *Speech*, (p. xxxiv) gives the reasons of the majority for declining to allow it. Refused an entry in the *Votes*, it was printed in the *Pennsylvania Gazette* of July 26, 1764, with a prefatory note, which is here reprinted.

EDITOR.



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## PREFACE.

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PHILADELPHIA, July 26.

MR. HALL,

As Mr. DICKINSON's Speech, that was lately published, has been so generally admired, you could hardly render a more acceptable Service to your Readers, than by inserting it in your News-Paper; but as it might probably be too long to obtain a Place there entire, I herewith send you the Substance of it, which was digested into the Nature of a Protest by Mr. Dickinson himself, when he found that the House could by no means be prevailed on to lay aside their Petition for a change of Government. This Protest Mr. Dickinson, with some other Members, prayed the House (though in vain) to enter on their Minutes.





## THE PROTEST.

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We — dissent from, and protest against, the above mentioned Resolution, for the following Reasons :

Because we think a Change of our Government is a Matter of such vast Importance to the good People of this Province, and so foreign from the Purposes for which we receive our Seats in this House, that it ought not to be attempted without the almost universal Consent of the People; of which Consent, we have not now any Evidence, unless the Petitions lying on the Table, and signed only by about Thirty-five Hundred Persons, though not addressed to us, nor requesting us at this Time to make such an Attempt, can be looked on as such Evidence. On the Petition of so inconsiderable a Number, We do not think this House has a Right to deprive so many thousand Inhabitants of this Province of their present Government, or to take any Step that may produce such a Consequence.

Because it appears from the Letters of the Secretaries of State, lately laid before this House, that this Province at present labours under the heavy and deplorable Misfortune of having incurred, in a very high Degree, the Displeasure of our most Excellent Sovereign, and therefore at present may be regarded in a very unfavorable Light.

Because We apprehend, if his Majesty shall be pleased to determine, that the Governor, in his Controversy with this House, has discharged his Duty to the Crown, by strictly observing Stipulations approved by his Majesty, and his royal Grandfather, that the Conduct of this House on the present Occasion will add to the Resentment already

entertained, and that the Controversy above mentioned will be thought an unjustifiable Foundation for the present Attempt.

Because We apprehend there will be a great Danger of our not retaining the Privileges this Province now enjoys, when the King shall take the Government immediately into his own Hands, on the Request of the Representatives of the People.

Because We apprehend, that such a Request may be regarded in his Majesty's Council, as a Surrender of our present Constitution; at least it may be consider as the Request of the whole Province (though we are not desired to make such a Request even by the Petitions now lying before this House) that the Proprietary Government may be abolished, and therefore may be thought a sufficient Reason for his Majesty and his Parliament to form a new Government for this Province, and that thus the civil and religious Liberty, of which the People are now possessed, may be greatly lessened and restrained.

Because We think that the Conduct of this Province, which hath brought upon it his Majesty's Resentment, being, as we are informed and believe, attributed by his Majesty's Council to the Influence of one Sect of Dissenters, and the Blame of the late Tumults and Disorders among us being cast on another Sect of Dissenters, great Reason will therefore be afforded to his Majesty and his Parliament, if a Change of our Government is made before the Conduct of the People so censured can be properly vindicated, to lay some uncommon Restrictions on Persons of such particular Professions, who may, under the Misrepresentations made of their Behaviour, for a Time, appear criminal.

Because We apprehend that the Petition, now ordered to be signed by the Speaker, is extremely reproachful and injurious to the People of Pennsylvania, by representing the



Province at this Time in a State of Confusion and Anarchy, through Multitudes of tumultuous and riotous Insurgents.

Because We think the Petition will be extremely dangerous, not only to the peculiar Privileges of this Province, but to the common Liberty we are entitled to with the rest of his Majesty's Subjects, the Petition being so worded that, in our Opinion, it may be construed as calling on the Crown to restore Peace and Security to us, even by the Establishment of an armed Force.

Because We think that this important Matter has not been considered and debated with that Deliberation that its Consequence to our Constituents demands, and no Inconvenience, that we know of, can arise from bestowing a little more Time on the Consideration of a Measure, the Consequences of which are to be perpetual.

Lastly, because We think that the necessary Precautions have not been taken by this House to procure a happy Determination of a Measure so deeply affecting the valuable Rights of the People of Pennsylvania. Before any Petition to the Crown should be agreed to by this House, it is our firm Opinion the Sentiments of the King or the Ministry should have been known, with respect to the Advantages we may gain, or the Disadvantages we may suffer from the Measure proposed; and some kind of Security should have been obtained for saving to the Inhabitants of this Province the Blessings they now enjoy—Till these things are done, we think no Step ought to be taken by this House that may expose to Hazard the Continuance of these Blessings to the present and succeeding Ages.

Influenced by these and other Reasons, we declare our Disapprobation of the Petition now voted for. To obey the Dictates of our Consciences and Judgment; to discharge the sacred Duty we owe to our Constituents; and to promote the Happiness of Pennsylvania, has been our Aim and Endeavour. As our Opinion hath been over-

ruled, and Measures pursued which we apprehend may be injurious to our Country, We pray God that this Province may never have too fatal Cause to think that we are right.



A PETITION  
TO THE  
KING  
FROM THE  
INHABITANTS OF PENNSYLVANIA.

DRAWN BY  
JOHN DICKINSON.

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JULY, 1764.





## NOTE.

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DEFEATED by the votes of the Assembly from an official protest against petitioning the King to change the government of the province, the opponents of that measure united on the following petition, drawn by Dickinson, which was printed as a broadside, and circulated throughout the colony for signatures. The head lines were:

To the /King's Most Excellent /Majesty in Council, / the Representation and Petition of /Your Majesty's dutiful and loyal Subjects, /Freeholders and Inhabitants of the Province of Pennsylvania. [Fo. pp. 2.]

An edition in German was also printed, with the title of:

Seiner Königlichen Erhabensten Majestät /im Hohen Rath, /nahe sich /Diese demüthigste Vorstellung und Bitte /von /Seiner Majestät gehorsamst-getreuen Unterthanen, den freyen /Einwohnern der Provinz Pennsylvanien. [Fo. pp 2.]

This petition was analysed and answered in Franklin's preface to Galloway's *Speech* (p. xxvii.).

EDITOR.







To the King's Most Excellent Majesty in Council, the  
Representation and Petition of Your Majesty's dutiful  
and loyal Subjects, Freeholders and Inhabitants of the  
Province of Pennsylvania.

*Most humbly sheweth,*

That having received certain information that the Assembly of this Province, during their last sitting, had drawn up a PETITION to your Majesty, setting forth among other things, "That mischievous disagreements subsist in this government, which proceed, as they conceive, from the very Nature of it; and that a Spirit of Violence, Riot and Confusion prevails among us, which cannot be controlled by the present Powers of Government and renders a Change of the same necessary:"—Sundry Magistrates and reputable Freeholders alarmed at the Nature of this Petition, and considering the whole Province as deeply affected by it, did (in Behalf of themselves and others) apply to the Speaker of Assembly for a Copy of the same, and to know whether the House intended to transmit it to England, without communicating its Contents to their Constituents, and obtaining their fullest and most explicit Consent therein.

That they were informed by the Speaker, that the Petition had already been transmitted to be laid before your Majesty, and no Copy of it could be given without the Leave of the House, at their Meeting in September next; when we apprehend it might be too late for us to submit our Sense of this Matter to your Majesty; and therefore we beg to Leave in all humble Duty, *to represent—*

That as there is no civil Happiness on Earth which we should esteem equal to that of being under your Majesty's immediate Government, if our remote Situation could permit such a Blessing; yet we and all your American Subjects must be governed by Persons authorized and approved by your Majesty, on the best Recommendation that can be obtained of them, we cannot perceive our Condition in this Respect to be different from our Fellow Subjects around us, or that we are thereby less under Majesty's particular Care and Protection than they are; since there can be no Governor of this Province, without your Majesty's immediate Approbation and Authority.

That the particular Mode or Frame of Government which we enjoy under your Majesty in this Province (as derived to us by the Charter of your Royal Ancestor King Charles the Second, and delivered to us by our wise Founder, William Penn, Esq.;) is held in the highest Estimation by good Men of all Denominations among us, and hath brought Multitudes of industrious People from various Parts of the World, who trusting in the perpetual Enjoyment of the inestimable Privileges it gives them, have, at their own Expence, settled this Colony, and raised it, in a few Years, to be one of the most flourishing in your Majesty's American Dominions; cheerfully embracing every Opportunity of manifesting their Loyalty and Affection to your Majesty's Royal Person and Family.

That such disagreements have arisen in this Province we have beheld with Sorrow, but as others around us are not exempted from the like Misfortunes, We can by no Means conceive them incident to the Nature of our Government, which hath often been administered with remarkable Harmony; and your Majesty, before whom our late Disputes have been laid, can be at no Loss, in your great Wisdom, to discover whether they proceed from the above Cause, or should be ascribed to some other.



That this Province (except from the Indian Ravages) enjoys the most perfect internal Tranquility; and a Spirit of Riot and Violence is so foreign to the general Temper of its Inhabitants, that there are as few instances of any Disturbance of this kind to be met with among them since the first Settlement of the Colony, as perhaps the like number of People in any part of the World: That where such disturbances have happened, they have been speedily quieted; the civil Powers have been supported; and tho' there are perhaps Cases in all Governments, where it may not be possible speedily to discover Offenders, yet we know of no instance among us where Persons legally accused or Convicted, have been screen'd from the Public Justice; and if the executive Part of our Government should seem in any case too weak, we conceive it is the Duty of the Assembly, and in their Power, to strengthen it, without representing us in a Light that might undeservedly subject us to your Majesty's Royal Displeasure, which we deem the greatest of all Misfortunes.

We therefore most humbly pray—That your Majesty would be graciously pleased, wholly to disregard the said Petition of the Assembly, as exceedingly grievous in its Nature; as by no means containing a proper Representation of the State of this Province; and as repugnant to the general Sense of your numerous and loyal Subjects in it; there being but few of them (comparitively speaking) who could by any means be prevail'd on to give the least countenance to this Measure.







A REPLY  
TO THE  
SPEECH  
OF  
JOSEPH GALLOWAY.

BY  
JOHN DICKINSON.

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SEPTEMBER 4, 1764.





## NOTE.

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THE personalities in Galloway's *Speech* in reply to Dickinson irritated the latter so greatly, that he challenged him to a duel, which Galloway declined. Dickinson then wrote the following pamphlet, published in the second week of September, 1764, with the title :

A / Reply / To a Piece called / The / Speech / Of Joseph Galloway, Esquire. / By / John Dickinson. / " Yes, the last pen for freedom let me draw, / When truth stands trembling on the edge of law ; / Here, last of Britons ! Let your names be read ; / Are none, none living ? Let me praise the dead, / And for that cause which made your fathers shine, / Fall by the votes of their unhappy line." / Pope. / Philadelphia : / Printed and Sold by William Bradford, / At his Book-Store, in Market-street, adjoining the / London Coffee-House, M,DCC,LXIV. [8vo. pp. iv, 45, xii.]

A London reprint was issued with the title of :

A / Reply / to / a piece / called the / Speech / of / Joseph Galloway, Esq ; / By John Dickinson. / . . . . / Philadelphia Printed : / London, / Re-Printed for J. Whiston, and B. White, in Fleet-street. / MDCCCLXV. [8vo. pp. iv, 62, (1).]

It was noticed in the *Monthly Review*, xxxii. 67 ; and the *Critical Review*, xviii, 197.

EDITOR.

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*To the Hon<sup>ble</sup> Thomas Penn Esq<sup>r</sup>*

A

R E P L Y

To a Piece called

T H E

S P E E C H

Of JOSEPH GALLOWAY, Esquire

B Y

JOHN DICKINSON,

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" Yes, the last pen for freedom let me draw,  
When truth stands trembling on the edge of law;  
Here, last of Britons! Let your names be read;  
Are none, none living? Let me praise the *dead*,  
And FOR THAT CAUSE which made your *fathers* shine,  
Fall by the votes of their unhappy line."

POPE.

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PHILADELPHIA:

Printed and Sold by WILLIAM BRADFORD,  
At his BOOK-STORE, in *Market-street*, adjoining the  
LONDON COFFEE-HOUSE, M,DCC,LXIV.



— 175 —

## PREFACE.

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*The Pamphlet called "The Speech of Joseph Galloway, Esquire" was published on Saturday the 11th day of August.—The next day I left Town to attend the Courts in the Lower Counties, and did not return till the 26th.—The following Reply was written in the small intervals I could spare from the Hurry of the Courts at Dover and New-Castle, and these frequently interrupted.—The Court for Chester County began the 28th, and held till the 31st day of August; and Philadelphia County Court began yesterday, so that it has been impossible for me to prepare this Piece for the Public, in the Manner I wish'd to do.*

*I hope the Reader will therefore be so kind, as to excuse any Inaccuracies that may be discovered; which I should have carefully endeavoured to correct, if my Business had not prevented me.*

*Philadelphia, September 4th, 1764.*

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## A REPLY, &c.

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Two reasons induce me to address the public at present. The one is, to clear a few plain arguments on a matter of the utmost consequence, from the objections lately made against them, in a piece call'd "*The Speech of Joseph Galloway, Esq.; &c.*" The other is, to answer the unjust accusations contain'd in that piece.

To act honestly, and to be traduc'd, hath been the fate of many men. To bear slanders with temper, and to entertain a proper pity or contempt, for their weak or wicked authors, has been the lot of few. I will endeavour to imitate their example: and by proposing it to myself, I hope I shall be able so far to suppress the resentment naturally arising from a sense of unprovok'd injuries, that my vindication may be presented not unacceptably, nor uselessly, to candid minds.

Could I be convinced, that men of sense or virtue, would be persuaded or pleased, by wild declamation or illiberal reflections, I might perhaps be induced to defend myself, in the same shattered style and abusive lan-[2]guage, with which I have been attacked: but as these must always offend the wise and good, whose approbation only is worth wishing for, to Mr. *Galloway* I resign the undisputed glory of excelling in his *favorite arts*—of *writing confusedly*, and *railing insolently*.

Presumptuous indeed must I appear, should I venture into these lists, against a person who wields the weapons

of wordy war—the *only weapons he dares to wield*—with so peculiar a dexterity in his exercise, as to feel no kind of restraint either from *sense* or *truth*; the regularity of whose sober discipline would prove, I presume, too great a confinement to this advocate of *freedom*.

When I perceived, that Mr. *Galloway* was hardy enough to obtrude on the public a *pretended speech*, of which he never spoke one sentence in the House, I was not surprised to find, that a person who treated his own character with such licence, should not be unsparing of others. But—*why* he should engage in the *preposterous* project—*why* he should so industriously endeavour to exhibit me as a villain to my country, for speaking my sentiments in that place where my country had commanded me to speak them—*why* he has wantonly wounded a man, who never designed or wished *him* an injury; but has always, as far as his power extended, rendered him all the offices of civility—for *what reasons*, I say, he has thus violated the laws of *humanity* and *decency*, his own heart is best able to decide—The public, with which he endeavours to establish his character, by destroying *that of another*, may perhaps be able to guess the *secret causes*, by which he has been transported into such unjustifiable excesses of rage and rancour against *me*—For my part, I shall avoid an enquiry, that would only lead me, I fear, to a painful discovery of the *depravity*, to which the human mind is subject. [3]

Leaving then to the impartial world the judgement to be passed on Mr. *Galloway's* conduct—Leaving to *him* the enjoyment of the *solid satisfaction*, that must arise from the meritorious exploit of stabbing publicly a reputation, which has hitherto escaped his *insidious attempts*, I shall endeavour to perform the task imposed on me by his cruelty, and to defend myself from those darts, which with unfriendly hands he has aim'd at *my heart*.



When the change of our government, after the adjournment of the assembly in *March* last, came to be the general subject of conversation, the importance of the measure filled my mind with the greatest anxiety. A severe fit of sickness had prevented my attendance when the resolves were past: but I considered that at the next meeting of the House, the duties of the post which my country had assign'd me, would call upon me to act a part of more consequence, than perhaps would ever fall to my share again, in the whole course of my life. Mindful of the trust committed to me, I endeavour'd to understand a matter on which so much depended.

I soon perceiv'd, that if a change took place, there were two things to be wish'd for, which there appear'd to me no probability of obtaining. The first was, that the *point* on which we lately differ'd with the governor, and *some others* which have been earnestly urg'd by former assemblies, should be determin'd in our favour. The second was, that our *privileges should be perfectly secured*.

But insurmountable obstructions seem'd to present themselves, *at this time*, against these attempts. \* "What reasonable hopes of success can we entertain, of having these points decided in our favour, while those [4] ministers who so repeatedly and warmly have approv'd of the proprietors insisting on them, are still in power?" Our danger not only is, that these points will not be decided for us; but, if the proprietors, tired and incensed, should think proper to surrender the government and make their own terms with the crown, is it not highly probable, that they have interest enough to make the change in such a manner as will fix upon us *forever*, those demands which appear so extremely just to the present ministers? Add to this, the "deplorable misfortune under which we now labour, of having incurr'd the displeasure

\* Speech, page 6.

"of his majesty and his ministers." These reflections induc'd me to think and to say—that *this* is not the proper time to attempt a change of our government.

Mr. Galloway, by way of prelude to his answer to these observations, endeavours to shew that I have contradicted myself: but this *supposed* contradiction is founded on a *supposed* concession, which I never made—"of the necessity of a change." My *approbation* of a change, if we can enjoy all the advantages we now do, is call'd, "*a confession that a change is necessary.*" But certainly it would have been more natural to construe it as it was intended, and as the sense requires—"that, *if we are to lose nothing by the change*, I am as willing to be under the immediate government of the crown, as of the proprietors."

After this unsuccessful attempt to raise a contradiction, Mr. Galloway takes the trouble of attacking the "inapposite instance," as he calls it, relating to the Duke of Monmouth. This instance was mentioned to confirm a preceding observation; and Mr. Galloway, in attempting to answer it, *unluckily for himself*, points out and enforces the very truth for which it was adduced. He says, "the duke failed, and no wonder; for he [5] landed at a *time* "when the king was supported in the warmest manner by "the parliament, and no one circumstance to promise him success." Thus, I say,—"*our attempt is made at a time* when the proprietors are supported in the warmest manner by the crown, and its ministers; and no one circumstance to promise us success."—But, suppose the duke had waited till the parliament did *no longer* support the King; but, when they and the whole nation, in the utmost dread of popery and arbitrary power, were looking round with impatient terror for a deliverer, and when many circumstances promised that nobleman success; is it evident that he would not *then* have succeeded, or



that he would have been taken and put to death? Or, if King *William* had made his attempt, before the nation was properly alarmed, is it certain that the revolution would have been accomplished with such amazing facility? Rashness ruined the one. Caution crowned the other. This is all I intended to prove.

Mr. *Galloway* then proceeds, and *supposes* that all the determinations of the ministry, were mistakes occasioned by proprietary misrepresentations. He then *supposes* that these determinations were solely owing to the influence of two friends of the proprietors, lately deceased: And lastly, he *supposes* that now there will be a *total* alteration in ministerial resolutions.

These *suppositions*, I acknowledge, are as good securities as any we have, that the grand points controverted between us and the proprietors, will, in any case of a change, be decided in our favour, or that our privileges will be preserved. But still they seem to be too sanguine. Let us remember with what *unanimity* the ministry at different times have expressed their resentment of our conduct; and, that it is only *guess-work* to imagine, their resolutions were dictated by two men. [6]

Of one thing we are *sure*—that we are in the utmost *discredit* with the king and his ministers. The late resolves prove it. Mr. *Galloway*, however, flatters himself, “that the prejudices against us are not so ineradicably fixed, but they may be easily overcome, and the province restored to her former credit.” Happy should I be, if I could perceive the least prospect of so great a blessing. By *what means* these prejudices are to be overcome, we are not informed; nor can I conceive. Men of great abilities, and of the most perfect acquaintance with our public affairs, have been employed to remove the force of these misrepresentations, as they are called. Mr. *Franklin* and Mr. *Charles*, our Agents, spent several years in combating

these prejudices; and, even Mr. *Galloway* himself, as I have been told, *elucidated* the justice of our cause with his usual *perspicuity* in realms of writing. Yet after all these great labours, his majesty and his ministers still retained their former sentiments. Hence, I fear, that any future efforts for this purpose, “\* will be *swallowed up, and sacrificed* (as Mr. *Galloway* most elegantly expresses it) *at the shrine of proprietary instructions, and the measures of power.*” In short, that they will be but † “*ideal shadows,*” and *chimerical notions.*”

In confident expectation of these improbabilities, Mr. *Galloway* is willing to risque the *perpetuating* those demands, which have been constantly made by the proprietors—at a *time*, when *we are certain* that the crown and its ministers look on these demands as highly just and reasonable.

One of his arguments for our riding post in this affair is “that there are many new colonies to be [7] settled now, “and that it would discourage *these* settlements, if *our* privileges were to be taken away.”

’Tis true it will convince the emigrants, they are not to have such privileges as were granted to *us*; or if they *have*, and shall hereafter *petition for a change*, that they will be taken from them.

But this information, I imagine, will be no discouragement.—There is not the same ‡ reason to grant, nor to wish for privileges now, that existed in the persecuting day of *Charles* the second. Grants of land on small quit-rents—furnishing the necessaries of life for the first out-set—bounties on labour—and immunities from taxes for

\* Pretended speech,—page 30.

† *Qu.* What *Idea* can be formed of an “*ideal shadow*?” and what may be the meaning “*of the shrine of the measures of power*?”

‡ *America* was then so little known, that it was thought the severest kind of banishment to send people over to the colonies.

some years—with the common liberties of other English subjects—will do the business, without the privileges of *Pennsylvania*.

Mr. *Galloway*, before he quits\* “this wise policy of settling the extensive newly acquired dominions” as he expresses himself, takes the opportunity of making an *historical flourish*—but unfortunately furnishes “† irrefragable demonstrations” that he is utterly unacquainted with the subject, on which he speaks.

Mr. Franklin read in the House, a short extract from Lord *Clarendon's* life, relating to *Barbados*. Mr. *Galloway* catches it as it fell from the learned member, and now confidently asserts—“that the colony of *Barbados* had, in the opinion of the ablest council, *forfeited her charter privileges*.—And yet upon this policy only, her privileges were preserved.”

He refers to Lord *Clarendon's* life, for this curious anecdote. What then must a man think of Mr. *Gal-*[8]  
*loway*, who looks into the book, and finds—that the colony of *Barbados* did not forfeit any right, that such an opinion was never given—and that there is not a word relating to her *charter privileges*. Yet this is the truth.

The fact was this. *Charles* the first granted the island of *Barbados* by patent to the earl of *Carlisle*—he died—his son leased it to lord *Willoughby* for twenty-one years; appointing him governor, and reserving a moiety of the profits to himself—the civil war broke out—ended—*Charles* the second was restor'd—there being eight or nine years of lord *Willoughby's* lease to come, he pray'd the king to give him a commission to be governor for that time—But the island was now much changed—it was compleatly settled during the troubles and *chiefly by officers of the king's army*—so that now it was of another

\* Pretended Speech—page 21.

† Id., pa. 73.



consideration and value than it had been—the *king's customs* yearly amounted to a *very large sum*—The planters were greatly alarmed at the thought of \* “depending on the earl of *Carlisle* and lord *Willoughby* for the enjoyment of their estates, which they had hitherto look'd upon as their own.” They applied to the king, † “praying that they may not be oppress'd by those two lords. They pleaded, that they were the king's subjects; that they had repaired thither as to a *desolate place*, and had by their industry obtained a livelihood there, *when they could not with a good conscience stay in England*. That if they should be now left to those lords to ransom themselves and *compound for their estates*, they must leave the country; and the plantations would be destroyed, which yielded his majesty so good a revenue.”

They further ‡ “positively insisted, that the charter granted to the earl of *Carlisle* was *void in point of law*; [9] and prayed that his majesty would give them leave to prosecute in his name in the exchequer, and at their own charge, to repeal that grant; by which they should be freed from the *arbitrary power and oppression* which would be exercised upon them under the colour of that charter; and his majesty might receive a *great benefit to himself*, by taking the sovereignty into his own hands, to which it belonged—and in that case, they offered to make *as great an imposition* of taxes as the plantation would bear; for the support of the king's governor, and such other uses, as his majesty should think fit to direct.”

Upon this, the king § “referr'd the consideration of the validity and legality of the patent, to his council at law; who upon full deliberation, after the hearing of all parties,

\* Lord Clarendon's Life—vol. iii, pa., 933.

† Idem, 934.

‡ Idem, 937.

§ Lord Clarendon's Life, iii. vol., pa. 938.

returned their opinion, *that this patent was void, and that his majesty take the same into his own power;*" not that "the colony had forfeited their charter privileges."

On this report, the determination was formed in the king's council. And what does this case prove—but that the crown would not deprive the *proprietors* of *Barbados* of their charter, tho' the people earnestly requested it—tho' *that* people were faithful subjects, who had distinguished their loyalty by suffering in the royal cause—tho' a very great benefit would accrue to the crown—tho' a large salary was to be settled on the king's governor—and lastly, tho' the patent was absolutely *ILLEGAL* and *VOID*.

If in *such a case*, the needy and unprincipled *Charles* would not seize upon the interests of the *proprietors* of *Barbados*, can it be conceived that his present majesty will snatch from the proprietors of *Pennsylvania*, without [10] their consent, the charter that was granted in consideration of the services performed by their brave and loyal ancestor.

I think every man in the province, *except* Mr. *Galloway*, will immediately discover whether the case he has quoted will strengthen his reasoning or mine.

Another of Mr. Galloway's arguments is—that the "proprietary estate is daily increasing, and thus their influence will increase; and, therefore, they will be more likely in future to oppose with success any measures that may be taken against their opposition."

To finish this argument, he closes it with an *imaginary contradiction* of mine, in my saying, "This is not the proper time for a change," and afterwards declaring, "that we are not to expect more success, because the *proprietaries* will have more dignity, more power, and, as they will think, more law on their side."

Mr. *Galloway* certainly takes delight in mistakes, or he

would never have committed so gross an error as he has done here. I said—it could not be expected that our success would be greater when our “opponents become “more *numerous* and will have more dignity, more power, “and, as they will think, more law on their side.” This was intended to prove, that we might find it more difficult after a change to contend for the preservation of our privileges with the *crown* and the *clergy* (the *opponents* here meant) than with the proprietors. But Mr. *Galloway*, with great address, by changing the word *opponents* for *proprietaries*, creates a contradiction for his own *diversion*, and the *deception* of his readers. [11]

✓ However—let it be supposed “that the proprietary estate and influence will greatly increase, and that they become the richest subjects in *England*.” I most sincerely wish they may, since the \* increase of their wealth must arise from the increase of the wealth and prosperity of *Pennsylvania*. These, I presume, are not things to be dreaded. *Our* power and influence must increase with *their* power and influence—and, therefore, it seems we shall always be as able to cope with them, as we are now—especially if it be considered that a *family* is more liable to accidents than a *people*.

✓ Mr. *Galloway* endeavours to shew, that the conduct of the proprietors has not been constantly approved by the crown and ministry, because five of the thirteen acts opposed by the proprietors, were confirmed.

But granting that the riches of the proprietary family shall increase in a greater proportion than the riches of this province—can it be imagin’d, that they will obtain any *undue influence* over the crown and it’s ministers? can it be believed, that the king and parliament will suffer two or three subjects to tyrannise over a dependant colony,

\* Pretended Speech, pa. 14, 15, 17.



in whose welfare *Great-Britain* is so much interested? To reduce us to the most abject state of slavery?

The supposition is too monstrous to be admitted—and I should be surprized to hear such language from any person, but one who thinks and writes in Mr. *Galloway's* shambling way. He\* shudders at my saying [12] “the parliament may perhaps be induced to place *us* in the “*same state with the royal governments*”—and yet he supposes, they will tamely tolerate our being made *slaves*.

But this opposition, even by Mr. *Galloway's* acknowledgment, did not proceed from any private interest of the proprietors that was affected by these Bills. They were opposed, says he,† “as inconsistent with the royal prerogative”—And surely such an opposition could not be much disapproved of by the crown, as the ministry have declared‡ “that his majesty's royal prerogatives were not to be trusted to the feeble hands of private individuals; who were ever ready to sacrifice them to their private emolument.”

If our proprietors are to become such great and dreadful men—if their influence is to grow superior to justice and reason—I cannot conceive how the king's *appointment* of governors can secure us from them, any more than his *approbation*.

If that influence shall ever be so exorbitant as it has been described, will it not prevail in the nomination of governors? Or in determining their conduct? Can even Mr. *Galloway* think that the king's *appointment* will protect us against this influence? If he does, I will answer him in his own words—and if they do not convince *him*, surely he will not be so unreasonable as to expect, that they should convince *any one else*.

“§ Let us but consider that the experience of ages fully

\* Pretended Speech, pa. 7.

† id., pa. 25.

‡ id., pa. 23.

§ id., pa. 10.

“demonstrates wealth to be the parent of power, and the  
 “*nurse* of influence, and that an increase of wealth will as  
 “naturally *beget* an increase of power and influence, as an  
 “increase of velocity in the *falling stone* will produce  
 “more certain death.”

“Let us but take a view of the proprietary estate, what  
 “it was fifty, what twenty years ago, and what it is now,  
 “and we must be convinced *that nothing can prevent* their  
 “being the richest *subjects in the English nation*; and  
 “*therefore subjects of the greatest influence and power*, and  
 “*more likely in future to oppose with success* any measures  
 “that may be taken against their oppression. Are we to  
 “expect the same cause will not produce the same effect,  
 “and that [13] wealth by some MAGIC CHARM in future,  
 “will, instead of producing power and influence, bring  
 “forth its contraries? *As vain and chimerical* as the ex-  
 “pectation of a future Messiah to the deluded Jews.”

If there is any force in these arguments of Mr. *Galloway*—if property, from natural causes, produces power, and cannot fail of having this effect—how vain and ridiculous is it to request the crown—to\* “*separate power from property*?” Yet this forsooth! is *all Mr. Galloway*, or the assembly according to his explanation, desires of his majesty.

Certainly the meaning cannot be, that the king should take away their estates from the proprietors—this would be too glaringly unjust. What then can Mr. *Galloway* mean, when he desires “that the king may separate power and property,” which he declares—and, with prodigious labour, strives to prove—“*inseparable*?” If he means *anything*, I imagine, I have discovered his meaning—and, tho’ Mr. *Galloway* has, in his performance, said many things that have *surprized* me—yet this is so superlatively

\* Pretended Speech, page 8—*et alibi*.



ordinary, that I would not admit the following conclusion, unless his intention was too evident to allow any doubt. I did not think him capable of such designs. I entertained a better opinion of his loyalty. In short, he plainly means—as he has declared it cannot be any other way—that his Majesty shall turn MAGICIAN—and contrive \* “some “MAGIC CHARM, whereby wealth instead of producing “power and influence shall bring forth *its* contraries”—*their* contraries I suppose it should be.

This dread of future injuries being removed—or at least the vanity of attempting their removal, [14] on Mr. Galloway's own principles being proved—I return to the present situation of affairs.

It is universally believed, that the present ministry are desirous of vesting the government of this province advantageously in the crown. Mr. Franklin has frequently said it. If this be the case, how fair an opportunity is presented to the proprietors of gratifying their resentment, if they entertain any against the province, and securing their interest at the same time by entering into a contract with the crown, and fixing, by an act of parliament, those points in which the ministry have constantly supported them—*upon all succeeding ages?*

Many words are unnecessary in so clear a case as this is. Mr. Galloway allows, the proprietors have some sense, and that they understand their own interest. The sentiments of the ministry have been declared in their favor. From thence I think it may be taken for granted, that the proprietors either will not consent to a change—or that their consent will be founded on a perfect security given them for their demands, which appear so just to the king and ministry. What may facilitate this measure is, the

\* Pretended Speech, pa. 11.

proposal of the assembly—\* “that a *full equivalent* “be made to the proprietors” upon their parting with the government. How far these words may be construed to extend, will appear from this consideration. With the *appropriation of the crown* the proprietors now insist on certain points which, in their opinion, tend to promote their interests. This, the authority vested in them at present, enables them to do. If they are divested of this authority, without any stipulations for securing their interests *hereafter*, as well as they are at *this time*, it will be said that a *full equivalent* is not made for the power they resign. This security will therefore without [15] doubt, be required—and that requisition may not appear so unreasonable in *Great-Britain* as it does here.

This *full equivalent* comprehends something more than the settlement of these points. The government of itself is very valuable—and surely we shall not desire the king to pay the equivalent out of his own pocket. If the change therefore is made, I don't question but it will be thought highly reasonable—that *we should pay for the blessing, which we so earnestly request.*

The situation of our affairs being such as has been described, I could not perceive any necessity “impelling” us to seize this unhappy period, to plunge this province into convulsions, that might while she was thus disordered, be attended with the worst consequences. A gentler remedy appeared to me a properer remedy.

But here Mr. *Galloway* exclaims—“Shall we patiently wait until proprietary influence shall be at end? Shall we submit to proprietary demands?” By no means. What I desire, is, vigorously to oppose those demands, and to try the force of that influence, WITHOUT  
 XXXXX TOO MUCH IN THE CONTEST.

\* Pretended Speech, pa. 5.

I THEREFORE made a proposal to the House, of a very moderate nature, which I had the pleasure of finding highly approved by a \*gentleman, whose acknowledged integrity, patriotism, abilities, and experience will always give weight to his sentiments, with every impartial person. The proposal was—"that we should desire his majesty's judgment, on the point that occasioned the late unhappy difference between the two branches of the legislature." By taking this step, we should have discovered the sense of the ministry on our [16] late disputes—on other important points which have been controverted with our governors—and respecting our privileges.

Thus we should have known what success would attend us in any future attempt to effect a change—and what method would be most agreeable to his majesty. But in the present mode of proceeding we have acted with great zeal, I grant—but we are quite ignorant what the event will be, and whether the censures bestowed on the proprietors, may not be thought in *Great Britain* to be aimed through *them*, at the king. In short, we embark in an enterprize of the highest importance; and then look about us to see how it may be carried on. Instead of wandering through a storm in the dark, with so sacred a charge in 'our custody—I thought it would have been better to have waited, 'till the tempest was a little abated—or, at least, to have procured some *light* to guide us through the surrounding dangers.

I shall now consider the *manner* in which the present attempt to change our government is made.

Mr. *Galloway* makes this general objection with great warmth to my arguments, "that they are conjectural and "suppositious."

*His* resentment was to be expected. How absurd must

\* The late speaker.



the language of *diffidence* appear to one, who never doubted—the force of his own sagacity? To one who, castigated, but not convinced, by a discovery of his *repeated errors*, still dares to decide positively in things he does not understand—and drives boldly through *public affairs*, like a *magnanimous bug*\* through the blaze that has so often scorcht its wings—how contemptible in *his* eyes, must be the man, who modestly [17] pursues a train of enquiry, on the unformed events of futurity—and in his researches after truth, admits a possibility of her escaping him?

Mr. *Galloway*, with a spirit of divination, *unassisted by the common modes of reasoning*—penetrates into the region of contingencies—and fixes with *infallible confidence*, the uncertainties of the times to come,—Far different was the method, which the humble subject of his wrath and reproaches found it proper to pursue. Filled with anxious fears for the welfare of his country—*hesitating and apprehensive*,—it was his endeavour to form a † judgment of things that may *hereafter* happen, from an attentive consideration of *present circumstances* and *past transactions*—the only methods to be practised by those whose disquisitions are not aided by such “† active blood” as Mr. *Galloway*’s to whom hesitation appears ridiculous, and apprehension absurd! And no wonder—for if any mistake is committed, all the injury that follows, is—only the trifling loss of the PRIVILEGES OF PENNSYLVANIA.

But though Mr. *Galloway* pierces through *futurity* with

\* “Yet let me flap this *bug* with *mealy wings*.” Pope.

† It is somewhat remarkable, that Mr. *Galloway* should with anger make an objection to my arguments, that must in the opinion of every person but himself, operate with equal force against his own. Are not his arguments “conjectural and suppositious?” What proof is there, that any thing will be determined, according to his presumptions and guesses?

‡ Pretended speech, page 44.

such superior intuition, yet he is subject to a mere mortal frailty in considering *present* things. Hence he *confounds* those arguments I used with respect to the *manner* of attempting a change of our government, with the arguments I offered concerning the *time*, and does not seem sensible of his mistake.

By way of explanation and introduction to what I said on the *manner* of this attempt, it was *premised*—that [18] some event, arising from the circumstances of the proprietary family, or an act of the crown, might hereafter present us with a more *happy method* of vindicating our rights and privileges than the present. Upon this Mr. *Galloway* very *gravely* runs into a calculation of the lives of the proprietors and their families—and proves *to his own satisfaction*, that their descendants \* “*even they, and every of them*” will always be wicked and cunning. One virtue, however, he must allow them, to take off the force of my observation—and that is—a *most uncommon harmony among themselves*. Yet, after spending four pages on this curious digression, Mr. *Galloway* himself must grant—that some *act* of the crown, or a *multitude* of proprietors (as it happened in *Carolina*), or a *dissention* between them, tho’ few, will be such a circumstance as will produce the conjuncture I mentioned. But I will waive these probabilities. I will indulge Mr. *Galloway* so far as to suppose they are too uncertain or remote to be expected or regarded. What will this concession prove? That none of those occurrences will afford a favourable mode of making the attempt. But does it prove the present mode to be a good one? or that any necessity is so urgent as to force us to make use of it, tho’ a bad one. By no means! If I should see a man about to pass a

\* Pretended Speech, pa. 15, line 18. “They and every of them” a strong and beautiful expression frequently occurring in *Jacob’s law dictionary*, and in any book of *precedents*.



broad, deep\* river, over which I had reason to think he could not swim, would it be an unwise or an unkind act in me to advise him to walk along the bank, and endeavour to find a bridge, or a narrower or shallower place—tho' I had no certainty that there was such a bridge or such a place? Or would this be acknowledging that he was under a *necessity* of passing the river? My advice would at least have a *chance* of saving him, and could do him no harm—for, after being disappointed in his search, he might return to [19] the spot where I found him—and *would be at liberty to drown himself at last*.

Mr. *Galloway* mixes all points so confusedly together, that he not only leads himself into a variety of errors, but renders it very difficult for another, in answering, to reduce into any order what he has so loosely scattered about. This I shall, however, endeavour to do.

Had he attended to the objections against the *manner* of the present attempt, he might have perceived that they were *three*. The first was—that the circumstances attending this proceeding might cause others to attribute it to such passions as are always disgraceful to public councils and destructive to the honor and welfare of a people. It certainly will be admitted that all reproaches of this kind ought to be carefully guarded against—especially by a *dependent colony*, whose conduct has been frequently and severely reprehended.

Mr. *Galloway*, however, usurps, in his private room, among his chairs and tables, the *absurd license* of railing at me on this occasion for speaking my sentiments with freedom—tho' I spoke in a public council—as the representative of a free people—on a subject in which their reputation and happiness were intimately concerned. Any man who thinks, will instantly perceive—that it was my *duty*

\* Pretended speech, pa. 14.

to mention everything that I apprehended would tend to secure these blessings. When the assembly was deliberating on a step that seemed to me likely to bring discredit and loss upon us, would it have become me to have suppressed my opinion? No! But it would have pleased Mr. *Galloway* and some others—

*Great reward for having been a villain!*

I SAID—"Our messages to the governor and our resolves would discover the *true cause* of the present [20] "attempt"—Mr. *Galloway* grants it; and appeals to those resolves for my confusion. How is this charge supported? Why, the resolves mention—"public houses—commissions to judges during pleasure—and the great danger of a military force in a proprietary government" as grievances. In like manner they mention the point lately controverted. Very well! The *contents* of the resolves are *now proved*—But there still remains one point slipped over in silence—*Why* were these resolves *now* made? The increase of public houses had frequently been complained of before.—Commissions during good behaviour have always been wished for.—The establishment of a military force has been often attempted in the midst of war, when it was vastly more necessary than at this time.—But never 'till *now* has there been an attempt to change the government. More observations I think unnecessary. Impartial persons who read the messages and resolves—and consider *some other circumstances* generally known—will be able to discover the TRUE CAUSE of the present attempt—and to judge whether it may be justly attributed to passion of *any kind*. If his majesty and his ministers, whose present opinion of us is allowed to be extremely unfavorable, should be induced by our late behaviour to think us a rash, turbulent people—it will be a misfortune to be deplored by all lovers of their country.

The second objection against the *manner* of proceeding,



was the *inconsistency* in which we should be involved. This inconsistency is twofold. In the first place, our dissension with the governor, and this extraordinary attempt in consequence of it, may be thought by the king and the ministry to have arisen on a matter already determined by the crown. Hence our *unwillingness* to comply with the *royal pleasure*, signified to us on this head may be called a very *improper foundation* of a re-[21]quest "to be more immediately subjected to the royal pleasure." But this objection is easily obviated by *supposing* that the king and ministry will exactly agree with the assembly in construing the controverted stipulation. I sincerely hope they may; as our construction appears to me extremely reasonable and equitable. But, of this agreement in sentiments I desired to have some proof before we proceeded any further. We have frequently been disappointed in our warmest expectations. In public as well as in private life, he that never doubts, will often be wrong.

In this second place—there appeared to me an *inconsistency*, in requesting a change of government from the king—and yet insisting on the preservation of privileges derogatory of the royal rights.

We certainly prefer in our minds one of these things to the other.—Either to continue as we are—or to change, tho' we lose our privileges. If his majesty will not accept of the government in the same state in which it has been held by the proprietors, what shall be our choice? I don't imagine that even Mr. *Galloway*, tho' he ventures to say \* "We have no cause to dread a change if all my fears should prove realities," will dare to propose a direct renunciation of our rights. Trifling as *he* seems to think them—willing as *he* is to expose them to hazard on guesses and surmises—they are yet held in too

\* Pretended speech, pa. 21.

much veneration by the good people of *Pennsylvania*—for him to *declare* his *contempt* of them. If then his majesty shall be so “*unreasonable*” as to insist upon exercising his authority, in case of a change, as fully in this province as in any other under his immediate government.—and we insist that he shall not; the bargain breaks off—“and the worst consequence is (according to Mr. *Galloway*) [22] that we must then remain (as I would have us remain) in our present situation.” A much worse consequence, in my opinion, will follow. May we not *again* be reproached with *double dealing* and *deceit*?—The assembly’s petition to the crown draws a high coloured picture of our present distresses.—But let me suppose Mr. *Galloway* deputed to plead the public cause—an office which I have some reason to think would, by no means, be disagreeable to him!—\*“*If the royal ear is not deaf*—“*if it will hear*”—these are the pleasing—the descriptive—and convincing strains, in which “that Ear” will be addressed.

Most gracious sovereign! “The rights of the people of “*Pennsylvania*—† *the most scandalous and corrupt of all* “*your subjects*—‡ *are fading and expiring under the baleful influence of proprietary ambition and power*—§ *our liberties, are daily consuming before them*—|| *our privileges are swallowed up and sacrificed at the shrine* “of proprietary instructions and the measures of power—

\* A beautiful and striking repetition in the pretended speech, pa. 11.

† Id., pa. 19, at the bottom.—This expression is strictly agreeable to Mr. *Galloway*’s argument.—For if the corruption of the people in this province is one reason of his desiring a change, he must say we are more corrupt than his majesty’s subjects in the rest of his dominions; otherwise we request a government under which the people are as bad as ourselves; and, therefore, the change can be no service to us.

‡ Pretended speech, pa. 4, line 4.

§ Id., pa. 41, 6 lines from the bottom.

|| Id., pa. 30, line 6.



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"a *dissolution*. Nothing but a medicine administered to *this spirit* by your royal hands can possibly revive or restore her. This medicine we now attempt to obtain before the MIDNIGHT GLOOM approaches and FATAL DEATH puts an end to our struggles." When his majesty shall be so happy as to hear this eloquent address, how much must his *pity* be excited! If he understands it, and shall be pleased to express his willingness to take us under his immediate care and protection, in the *same manner* with the rest of his subjects—how must he be surprised at our refusing, or even hesitating to accept [24] that which we have so warmly requested—unless particular points are granted to us? How must he be *astonished* to find that we are more afraid of being placed upon a footing with other *Englishmen* under his dominion, than of the \*MIDNIGHT GLOOM and FATAL DEATH which are hastening to overtake us? With what justice may his gracious majesty tell us, "that we have endeavoured to impose on him, by representing ourselves as an oppressed, miserable people, standing on the brink of destruction; when, upon his hearing our cries for assistance and safety, —mercifully stretching out his hand to relieve us, and offering us to partake of the *same happiness* enjoyed by the rest of his subjects, we reject his *implored protection*—and thereby prove the falsehood and absurdity of our pretences?"

Thus, by *requesting a change*, we lay ourselves under the inevitable necessity, either of quietly giving up our rights and privileges, in order to maintain a *consistency* in our conduct; or of incurring the severe censure above mentioned—unless the king will be so *good natur'd*, in consideration of the *infinite pains* we have taken to recom-

\* *Quære*—What Mr. Galloway means by "midnight gloom?" "And what is a death not fatal?"—As he makes a distinction between "fatal death" and some other "death."—

mend ourselves to his favor—as to be contented with the same share of power in this province; which his two subjects *Thomas* and *Richard Penn* now have.

My third objection against the manner of the present attempt to alter our government was—"that it might be deemed in *Great Britain* a surrender of our charter—or "at least a sufficient foundation for the parliament's proceeding to form a new constitution for us."—[25]

No person can surrender what he has not. This term, therefore, when applied to the people of *Pennsylvania*, means a giving up of the peculiar rights derived to them, under their charter.

They can not surrender what belongs to others—and therefore *their* act can not take away the rights of the proprietors. But should the proprietors, enraged at our behaviour, and fatigued with disputes, make their own terms with the crown, and give up the royal charter—then the surrender may be said to be completed.

Mr. *Galloway* says,—the petitions can not be thought in any manner to surrender our privileges—because "they request the enjoyment of those privileges." But, if it be considered, that to procure peace and safety, is the design of forming societies, and of establishing governments—and that these petitions expressly declare . . . \* "there is no peace and safety among us, and that we have no hopes of either being restored but by the change for which we pray." Certainly, if we are thought to be in our senses, it will be concluded that we intend to surrender entirely a government, which does not answer the ends of government—even tho' we should be deprived of some agreeable things tacked to it—For who but a *Bedlamite* would shiver in a thin silk coat, in the midst of winter, only because it had a fine lace upon it?—

\* Pretended speech, pa. 28, 38, et alibi.



It may seem therefore a reasonable construction of these petitions to understand them in this sense—"that the "petitioners will be much obliged to his majesty, if he "will be so good as to put the lace on warmer coats for them "—but, if he will not condescend to do that, he may keep "the lace for his trouble—provided he will furnish them "coats of good *English broad cloth*." [26]

Let it however be supposed—that our petitions, with a resignation of the charter by the proprietors can not be called a *surrender* of our privileges, in strictness of law—and that the matter comes to be settled by the parliament.

Here Mr. Galloway launches out on a flood of words.—Here he overwhelms me with his "*irrefragable demonstration*"—\* "Will the king, lords and commons (says he) "be the dupes of the ministry; and, without consideration—† without the least reason, in an instant pass a law "—to blast our liberties—to ‡ take away our rights, and "§ deprive an affectionate people of new privileges?" || Will they act so black—so base so unjust a—part?

INCONSISTENCY! that would be astonishing in any man, but him who is the author of it!

How can the king and parliament be *unjust*, in saving us from *midnight gloom* and *fatal death*? How can they blast those liberties "*which are ¶ already lost*?"—Take away our rights, when \*\* *security of life and estate is now become an empty name among us*? "Or deprive us of "our privileges, †† *which are long since swallowed up and "sacrificed at the shrine of proprietary instructions, and the "measures of power, and so turn'd into ideal shadows?"*

\* Pretended speech—pa. 23. † Id. pa. 24.

‡ Id. pa. 22. 7th line from the bottom.

§ Id. pa. 21. 4th line from the bottom.

|| Id. pa. 25.

¶ Id. pa. 19, line 11, pa. 18, line 5.

\*\* Id. pa. 44.

†† Id. pa. 30.



Cunning and cruel king! to *strip* thy subjects of that which they *have not*.\* “Look history through,” it cannot furnish an instance of such royal craft and unkindness, except that recorded by Sir *Richard Blackmore*, of an ancestor of prince *Voltiger*. [27]

*A painted vest prince Voltiger had on,  
Which from a naked Pict, his grandsire won.*

I will not pursue this point any farther. I will suppose in Mr. *Galloway's* favour, that what he calls his speech was so long, and took so much time in making, that he forgot in forming one part, what he had written in another.

To attend him still farther in his political rambles, for some respect is due, to be sure, to † “one of the happy instruments of relieving his country,” and its ‡ “long supporter,” I will grant out of *complaisance* to him, in order to give his argument its *fullest force*, that he has told a great many *falsehoods*—that we are not in the deplorable condition *he* has represented us—and that our liberties, rights and privileges which he has taken so much pains to blast, are still fresh and flourishing.

Why then (says he) it will be unjust in the king and parliament to deprive us of them; and we have § “irrefragable proofs” of the justice of the house of commons, because in the years 1718 and 1748, they would not pass an act to give royal instructions the force of laws in *America*.

Thus he concludes, that because the house of commons would not make the king *absolute monarch* of *North America*, which would have been injurious to the rights

\* The expression in pretended speech pa. 9, line 1.

† Quoted speech, pa. 27.

‡ See p. 27. Quere, If this term is applicable to Mr. *Galloway*, who is a

§ See p. 27.

of *Great Britain*—THEREFORE, they will not allow him to exercise in *one province* that authority, which he exercises in every other part of his dominions.—*Truly*, an uncommon, but not a very syllogistical method, of arguing! [28]

Let Mr. *Galloway*, when he shall be employed in “supporting the expiring liberties of his country,” step into the *British* senate—and endeavour to convince *them* of this injustice.

When he has made a *speech* for this purpose, suppose some unconverted member should thus address him.—“Sir, we are perfectly satisfied in *what rank* we are to place your abilities—the “*proofs* are *irrefragable*”—but as to the point you have insisted on, you do not seem to express yourself with *clearness*. You speak of an *impelling necessity* to come under the king’s immediate government,”—and yet you say it will be “unjust to bring you under it, on the same condition with his other subjects.” I should, therefore be glad to have a short, plain answer to this question.—*Are the inhabitants of Pennsylvania more or less happy than the inhabitants of the royal governments?*”

How will our deputy extricate himself from this dilemma? If we are more happy, *why* do we *desire* a change—or why does Mr. *Galloway* talk of the “expiring liberties of his country?” If we are less happy—*why* do we *dread* it? Why are we unwilling to become in *every respect* like those who are happier than ourselves? Or where is the *injustice* of placing us in the same situation.

Before I quit this point, I must make one observation more, to shew by Mr. *Galloway*’s contradiction of himself (though I am almost tired with taking notice of his contradictions) that notwithstanding the rage with which he has asserted the contrary—he really thinks our priv-

ileges will be indangered, if the parliament should take the change of our government into their consideration. [29]

He employs many pages to prove there is *no danger*, tho' the affair should come before the parliament.—Yet, speaking of a change in the case of an infant proprietor, he says—\*“Is it to be by a *parliamentary enquiry*, and an act of the *British legislature*, in consequence of such enquiry? If it is, the *rights* of the *people* may be *involved* in the *enquiry*, which the *mode intended* by the house is *calculated* to avoid. Hence it appears, that this period of all others, will be attended with most difficulty to the crown, and *danger* to our *privileges*.”

Thus he acknowledges, that the house of assembly, in making the present attempt, have endeavoured to avoid a parliamentary enquiry, *because* the *rights* of the *people* would be *involved* in it, to the *danger* of our *privileges*.—

Upon the whole that has been said with regard to a change—and the *safety* or the *danger* of the measure I thus conclude.

If it *cannot* be accomplished—the *manner* in which it has been attempted will load this province with new disgrace. If it *is* accomplished, we are utterly ignorant *how* it will be. The fate of our privileges, and the great points controverted between us and the proprietors, are now to be *everlastingly* determined. Many unhappy circumstances attend us in the enterprize.

HERE then I fix the argument. On *this point* I rely. Whatsoever may be the force of the reasonings on either side—however probable or improbable the success may be—yet after placing everything in the strongest light against myself—*it must be granted*—that the event is *undoubtedly uncertain*—and that the persons desiring a change know *no more*, what [30] will be the consequences—than they know what will be the figure of next year's clouds.

\* Pretended speech, pa. 16.



A measure in which the happiness of so many thousands is involved, ought not therefore to have been pursued in so hasty and unguarded a manner. *Precautions* should have been taken. *Securities* should have been obtained. This was—this is—*my firm opinion*—and should a change be happily obtained, without injuring a single privilege, or settling a single point against us—should the conduct of the assembly and the people in this affair be *intirely approved* by his majesty and his ministers—I shall always *rejoice*—that I was not concerned in exposing the *inestimable interests* of my country to HAZARD.

I proceed to other points. Mr. *Galloway* takes great pains to prove that the \* “representatives of a people have a right to change the constitution without the [31] consent of the people,” *because* “almost every government in the civilized world has been changed”—*by force and injustice*:

\* “It can never be thought that the people intrust any representatives with their capital privileges farther than to use their best skill to secure and maintain them. They never so delegated or impowered any men, that *de jure* they could deprive them of that qualification; and *a facto ad jus non valet argumentum*: For the question is not, what may be done? But what ought to be done? Overseers and stewards are impowered, not to alienate, but preserve and improve other men’s inheritances. No owners deliver their ship and goods into any man’s hands to give them away, or run upon a rock; neither do they consign their affairs to agents or factors without limitation: All trusts suppose such a fundamental right in them that give them, and for whom the trusts are, as is altogether indissoluble by the trustees. The trust is, the liberty and property of the people; the limitation is, that it should not be invaded, but be inviolably preserved, according to the law of the land.”—WILLIAM PENN’S works, I. vol., pa. 682, &c.

When *Henry the Fourth of France* and his minister, the duke of *Sully*, formed the glorious and benevolent scheme of giving peace and happiness to *Europe* by reducing it into a kind of great commonwealth, which was to be effected by *changing the government of several states*; such was their regard to the first principles of justice and the rights of mankind that it was determined, that no step should be taken *without carefully and deliberately consulting the people of the several nations*, who would be affected by their measures.—*Sully’s Memoirs*, V. vol



*Because "the revolution was brought about"—with such universal consent, that King William was established on the British throne, without fighting a battle: Because "the first frame of our government was altered"—being found impracticable, and that its \*privileges could scarcely be exercised or enjoyed:" Because "six parts in seven of the assembly, have a right to alter the charter," by a law with the Governor's assent: Because he dignifies himself and those who join with him with the title of "long supporters and lovers of their country"—and charges with great truth, to be sure, all who differ in opinion from them "with being the friends of arbitrary power?"*

In the same striking method of arguing, he attempts to prove—that the petition for a change ought not to alarm a free people, *because*, "though it calls for a military establishment among us," yet this is only shewing our desire, that a military force *may* be fixed, which, "already "is fixed:" Or in other words, it is only discovering our hearty approbation of a disagreeable measure "—that" † a military establishment is already established (to use his own words) *because* there are *some* soldiers in garrison at our advanced forts—for *these* he certainly means by "the military establishment already established," or nothing—that a military force in a dependant colony, lodged in the hands of the king, is *less dangerous* to liberty, than in the hands of a *subject*—that it is the strongest evidence of the *prudence* and *public spirit* of such a colony, to represent themselves as a sett of *ruffians* among whom there is no safety for men of virtue, nor any respect for government, but all things are involved in *anarchy*—and therefore humbly to [32] pray, that his majesty will be pleased to send over some regiments to instruct them in the *gentle lessons* of *duty* and *obedience*—that this will not

\* Pretended speech, pa. 33.

† Pretended speech, pa. 40, lines 7, 8.

furnish a pretence to send over *more regiments*, than are desired—nor to make us *pay* for these blessings of *swords and bayonets*, which we have *requested*—or if these inconveniences should follow,—*that* they will be greatly overbalanced by the advantages of the civil war that would probably ensue, if these troops should be employed, as Mr. *Galloway* would wish them to be.

These are his arguments, and the tendency of them, on these points. Arguments!—Yielding such ample room for the entertainment of the public, that I hope some gentleman who has more leisure than I have, will divert the world with the strictures upon them they deserve. I pass on to matters, in which I am more particularly concerned—I mean to answer those charges, which Mr. *Galloway* has made against me.

The first of these, is “that my late conduct has been influenced by a restless thirst after promotion; a fondness “to serve the purposes of power from an expectation of “being rewarded with posts of honour and profit.”

In answering such a charge as this Mr. *Galloway* might perhaps have some advantage over *me*.

’Tis true, I cannot boast of being \*a “long supporter of the rights of the people,” since it is but lately that my youth has been favoured with any public marks of their approbation. I have not heated the minds of men with inflammatory harangues—and while they have been weakly wondering at my public [33] spirit, found myself *rewarded in gold* for the breath I have wasted. I have not *every year* since I have been a representative given myself an *office of profit*—so far from it that I have not taken *even a single farthing* for my wages during the whole time I have been in the Assembly, nor in my whole life touched a mite of public money. I have not enriched myself with a *most lucrative post*, torn from the *old age* of a worthy man,

\* That is, in Mr. *Galloway*'s sense of this expression.



who was grey-headed long before my birth. I have not, while the \**shop* was open for the sale of laws, and good substantial purchases might have been made"—wasted the public wealth, in buying at an exorbitant price, those that would not last a *twelve month*. I have not *lined* my pockets, and the pockets of all my dependants, with the spoils of my country, infamously plundered in *vile jobs*, while with unbounded confidence she trusted her stores to my faith. I have not bought with the public money *commissions of judges* in all the courts where I practice for *my most intimate friends*. I have not attempted to abolish that sacred right of *englishmen*, the right of trial by a jury. I have not *juggled in dirty cabals*, about the offices of *chief justice* and *attorney general*—with *competent salaries to be annexed to them*. I have not taken raw councils in *taverns*, for regulating the conduct of *Pennsylvania*. In short, I have not in all my *public conduct* had an eye to my *private emolument*—and, therefore, I have not the consolation to reflect, that I found this province in credit, and that, while I have been *drumming—merely for her good*, as *I pretended—my interests have † advanced as her interests have declin'd*, [34] and that I am now possess, *by my popularity alone*, of a considerable estate, while *she* is sunk into disgrace.

I cannot boast indeed of such exploits as these—and I sincerely pray, that my mind may be never tainted with the base ambition of rising by *sordid practices*. No digni-

\*Preface to pretended speech, pa. 4, line 13.

† This was the fate of unhappy *Athens*; which saw her pretended patriots thriving in proportion to her misfortunes.

"Cast your eyes, I beseech you, upon those men, to whom you owe these rare monuments of their administration. Some of them were raised from poverty to affluence, others from obscurity to splendor; some have built magnificent houses, others have acquired large tracts of valuable lands; and the lower the fortune of the state has fallen, the higher has that of much people risen."—*Demosthenes* in the second *Olynthian*.

ties can adorn his character, who has attained them by *meanness*.

With *equal scorn* do I behold him, who endeavours to recommend himself, either to *men of power*, or to the *public*, by flattering their passions or errors, and by forfeiting his honor and integrity.

The good man who is guided through life by his conscience and reason, may in *particular instances*, offend even honest and wise men—but his *virtue* will naturally produce an *uniformity* in his conduct *upon the whole*, that will discover his probity, and procure him the general approbation of the worthy.

These sentiments perhaps may prove destructive to one, who designs to establish his reputation and felicity on the basis of a party—\*since it is highly improb-[35]able, *that*

\* This sentiment is so strongly confirm'd by a beautiful passage in SULLY'S memoirs, that is is hoped the inserting it will afford pleasure to every one who reads it.

The duke of SULLY being a *Protestant*, was appointed by his master, Henry the fourth of France, to preside in a general assembly of the *Protestants*, which was called to meet at *Châtelleraut*. . . . The duke was *their faithful friend* through his whole life, and strictly attached to them by *principle*; but the warmth of their temper led them in to many things, *in this assembly*, in which he could not join with them . . . without offering violence to his own sentiments . . . and integrity . . .

The following is the account he gives of his conduct. "A common *prejudice* prevails among all sorts of religion; a man is never supposed "to be a *sincere professor* of the one he has embraced, unless he supports "it *obstinately*, even in *such points* where it is most *visibly wrong*."

The same remark may perhaps be found true in all parties. "Upon "this footing, I confess, the method I was determined to pursue, might "from *some persons*, draw upon me the epithets of *false brother*, *deserter*, "and if they please, *traytor*: However, it was not the approbation of "such as those, that I proposed to obtain, but of persons, who of *what- "ever party or religion they were*, would in their judgment of *my con- "duct*, preserve the ballance of *equity and disinterestedness*. If ever *re- "ligion* admits of the assistance of *policy*, it ought to be of a *policy pure*, "simple, and upright as itself; any other may indeed appear to serve it, "but does not in *reality*, and sooner or later *never fails to ruin it*."

"Having determin'd to be guided by *no other principle* in my transac-



*any man will be long esteemed by a party, unless he is bound to it by PREJUDICES, as well as by PRINCIPLES.*

To support the atrocious charge he has made against me, Mr. Galloway produces no kind of proof—except my differing in opinion from him, be proof. But if this be admitted, then Mr. Norris, Mr. Richardson and the two other gentlemen who differed from him, are villains also, influenced by the same views, attributed to me.

This would be too daring a charge, and more difficult perhaps for Mr. Galloway to support, than to crush by *calumnies and conspiracies*, a young man, who has excited more than one passion in more than one man's breast.

Had I intended to recommend myself to the government, I certainly might have given the sentiments I [36] delivered in the House a more courtier-like air than they now bear. Had I intended this, I should not have been one of the *first and warmest* to declare my *fixed resolution*, not to admit of the governor's construction of the stipulation he disputed with us; nor should I have steadily persisted in this opposition *to the last*.

Had I intended this, I should not have been the *only man* in the House who *constantly refused* to assent to the supply bill, *because* the money emitted by it, was made a legal tender in payment of all demands "except proprie-

"tions with the assembly, I thought I could not too carefully avoid all  
"appearances of affectation or disguise in my conduct; that those who  
"were influenced by an *imprudent zeal*, or actuated by a *spirit of cabal*  
"might have no hopes of *gaining* or *seducing* me: Therefore from the  
"beginning, I shewed myself solicitous to support on this occasion, *THAT*  
"CHARACTER by which the *public* was to know *how I would act on every*  
"other; that is, of a man sincerely attached to the *true principles and in-*  
"terest of the protestant religion, yet incapable of drawing the *false conse-*  
"quences which many of the protestants did, or of approving their *ir-*  
"regular proceedings: The *speech* I made at the opening of the assembly,  
"which lasted *half an hour*, was wholly *calculated* to produce *this effect*,  
"without troubling myself to consider, whether it would give pleasure or  
"offence to the greatest number."—SULLY'S Memoirs, 4 Vol.

tary rents,"—when *that exception* might have been safely extended (as was granted by the most distinguished members) to the *rents of all other persons*—who would then have been *as well* secured as the proprietors, and a distinction in their favour alone avoided.

One thing more I beg leave to mention, since Mr. *Galloway* compels me to speak of myself. I was appointed to carry the bill to the governor the second time for his assent, after he had once refused it. This was long before the change of government was talked of. On my delivering it, some conversation arose between us on the subject, Mr. *Shippen*, the secretary, being present. As the passage of the bill was of the utmost importance to his majesty's service and the good of the public, I took the liberty, though my acquaintance with the governor was very slight, of mentioning several reasons to prove that the assembly's construction of the disputed stipulation was extremely equitable; consistent with the established rules of explaining a sentence capable of two meanings; and, therefore, ought to be admitted—and that his honour's conduct in passing the bill, as it then was framed, would not be disapproved of in *England*. I further added, that I was persuaded his refusal would throw everything into the greatest confusion [37].

Being soon after taken ill and confined to my room, so anxious was I to prevent any difference at that time between the governor and assembly that I sent for a gentleman, whom I knew to be intimately acquainted with the governor; and urging everything I could think of to convince him that our bill ought to be passed as we had formed it, I entreated him to go to the governor, and endeavour to prevail on him to give his assent.

I hope *this* cannot be called the conduct of a man influenced by "mischievous passions destructive of public liberty."



Another charge brought against me by Mr. Galloway is, that I neglected my duty of attending in the House, and never spoke my sentiments till it was too late.

Mr. Galloway's behaviour in making this charge, is a plain proof to what lengths he will proceed, in hopes of injuring me. The first time, since I have been a representative of this province, that a change of government was mentioned and debated in the assembly, was on Saturday the 24th day of March last, on the governor sending down to them his message absolutely refusing to pass the supply bill, unless the stipulation was literally complied with. *That day*, the assembly's answer was composed and sent—the frequent motions, with the “solemn debate” Mr. Galloway talks of, made—the resolves past—and the House adjourned to the 14th of May.

Mr. Galloway must be conscious that this day, and the day before, I was confined to my chamber, and mostly to my bed, by a sincere attack of the fever and ague. He knows, that on the *Thursday* before, I was so ill, that there not being a sufficient number of members [38] without me, those who were met, intended to come and sit at my house; and that to save the gentlemen this trouble, I determined to wait on *them*, and was carried up in the late speaker's chariot, which he was so kind as to send for me, it being a rainy day.

This state of my health at that time, being a fact well known to many persons, and particularly to Mr. Galloway, how *cruel* and *unjust* is it to blame me for not attending, when it was impossible—and when, if it had been possible, *I had not the least suspicion* that anything of such vast importance would come into consideration.

On the meeting of the House, the 14th day of last *May*, according to their adjournment, I constantly attended *every day*, untill this important matter was determined, except on *Monday*, the 21st—on which day there was no

House, only eighteen members meeting, Mr. *Galloway* and many others being absent. The following days the petition for a change came in—were read—as other petitions were—lay on the table—and not a word spoken on the subject.

Thus business went on till *Wednesday*, the 23d, when I was prevented *for the first time* from attending the House by a fever—which, as it was very injurious to my health, would also, if Mr. *Galloway's* charitable and humane wishes could prevail, prove destructive to my reputation. *This day* the matter was started. *In vain* did the speaker recommend the deferring to take any resolution till the House was more full—and the absent members, *then in town*, could attend.—He desired that the affair might be put off *to the next day—in vain*—the debate was begun—quickly determined—a committee appointed to prepare a draught of the petition—that draught made—brought in—presented—read— [39]

The next day, tho' still extremely indisposed, I attended—and was surprised to find so much business *of the utmost consequence* had been done in so short a time—and though I could have wished that *such a step* had not been taken, without allowing me, and every other member, *of whose attendance there was any probability*, an opportunity of offering our sentiments; yet I comforted myself with reflecting, that though it had been resolved, “that a petition should be drawn,” yet it was not resolved “that any petition should be presented,” and that I should be at liberty to offer my opinion hereafter. I was determined therefore to attend diligently; and to take the *first opportunity*, which would be on the second reading of the petition, to oppose it. This I was induced to do, by considering, that if I did not say any thing, till the question was put for *transcribing*, or *signing* in order to be presented, it would look very odd for me to be silent so long, and that it would answer no purpose.



Accordingly, on the second reading of the petition, which was the *first opportunity I ever had*, since the change of government was attempted, I spoke against it.

The only objection *then* made by Mr. Galloway and every other member who spoke on the occasion, was—that I had offered my sentiments *too soon* to the House—and that I should have *staid* for the question to *transcribe* or *sign* the petition.

That I did not act with any stupid and useless reserve in lying by till this time, was never dreamt of by any member who knew, *why* I had been detained at home, whenever I *was* detained.

How vain is his attempt who strives to please *all men*? Or indeed to please one man *at all times*? Mr. Galloway [40] and *others* said, that I spoke *too soon*. He and some more *now* say, I spoke *too late*. Why too late? Were not my arguments as well understood *then*, and had they not the *same force*, as if they had been used before? And if they proved the measure to be *dangerous* and *improper*, ought they not *in a matter of such importance to the public*, to have been as much regarded, as if they were *one day older*?

If this affair had not been *so quickly decided*, I never should have been charged with omitting to speak in time. But I must not quit Mr. Galloway. What must the public think of a man who dares to abuse them by the grossest deceptions, with the pious intention of injuring another? He says “that during the time of the *several debates* respecting the change of government, I *seldom* attended, and was absent when the important one came on, which issued in the resolve, to adjourn and consult the people.”

Yet the candid Mr. Galloway knows—that there never was any debate in the assembly, since I have been a member, respecting the change of government—until that which issued in the resolve to adjourn—and *that I was*

*then ill.* Again he says, "at the next meeting, (meaning that in *May*) *several motions* were made to bring this resolution to an issue, and after *great deliberation*, it was resolved by a majority of 27 to 3, that a committee should be appointed to bring in the petition to his majesty to resume the powers of government.—But at none of these debates and resolutions was I present, tho' I well *knew*, or at least had great reason to *expect this business was in continual agitation.*"

Yet the correct Mr. *Galloway* knows, that there never was a motion—or debate—or resolution, concern-[41]ing this matter, upon the meeting of the house in *May*—untill *Wednesday* the 23d day of the month, when I was taken sick, as has been mentioned—and that *I attended as diligently as himself till that day.*

This account of the time when every transaction passed in the house—and of my attendance, is taken from the *minutes* of assembly, and the *book* for entring the attendance of the members—both which I have carefully looked over, in the presence of Dr. *Moore*, the clerk, who therefore is perfectly acquainted with the truth of every thing I have averred.

Another charge against me is, that "I formed my thoughts into order, and reduced what I had to say into writing, in an *unparliamentary* way."

I acknowledge myself guilty of taking some pains to put my thoughts into order, and that my notes were long and exact, that I might thereby be enabled to deliver my sentiments with clearness. I regarded this as a duty, upon an occasion where such an interesting subject was to be discussed—and I was *encouraged* to use *this mode*—because I once before had used it, and received such *public praises* from the present speaker, for introducing a method, highly commended, and the next day, imitated by him, as afforded me the sincerest pleasure—and I hope,



will\* serve to console [42] me, ballancing the calumny with which I am loaded, *because* I would not go THROUGH with *measures*," which my conscience and reason commanded me to oppose.—A conduct! I am DETERMINED, whatever "*moon*" shines on me or "*withdraws*" her beams, upon all occasions, STEADILY TO PURSUE.—And as its *own reward* is sufficient for *me*, I beg leave to restore to the gentleman's "*brows*," from which it † *once fell*, the "*laurel'd*" wreath, that *unenvied, unsought and unwished for* by me, he has been pleased—with *what design* I will not presume to guess—to place upon *mine*.

Mr. Galloway also accuses me of having promised him a copy of my speech, and of not performing my promise. Here he is egregiously mistaken. I told him he should have the copy that night it was delivered, *if I could get it ready*. The house broke up late in the evening. He soon after called upon me. It was not ready. He told me it would be *too late*, if he had it not soon. I did not then understand *his meaning*, as I did not in the least apprehend, the most important matter that ever came before the house of assembly, was to be decided with less deliberation than is generally bestowed on things of much slighter moment. Next morning I took the copy to the House in

\* Preface to pretended speech . . . pa. 25. "I would only advise him  
"carefully to preserve the panegyrics with which the proprietary fac-  
"tion have adorned him: In time, *they may serve to console him, by bal-*  
"*ancing the calumny they shall load him with, when he does not go*  
"*through with them in all their measures:* He will not probably do the  
"*one, and they will then assuredly do the other . . . There are mouths*  
"*that can blow hot as well as cold, and blast on your brows the bays*  
"*their hands have placed there . . . Experto crede Roberto.* Let but  
"*the moon of proprietary favour withdraw its shine for a moment, and*  
"*that great number of the principal gentlemen of Philadelphia who ap-*  
"*plied to you for a copy of your speech, shall immediately despise and*  
"*desert you" . . .*

† Experto crete Roberto. Preface to pretended speech . . . pa. 25.

my pocket. No one called for it. I did the same in the afternoon. The like silence was observed. I did not chuse to shew any forwardness in forcing it on those who seemed willing to forget it. Had I acted otherwise, I should have been called impudent and conceited, by those who are fond of bestowing epithets.

Mr. *Galloway* says, "that I attempted to deliver my objections against the measure *ore tenus*; but finding every thing I offered judiciously and sensibly refuted by several members, I was obliged to retreat [43] to my speech in writing, which after a short introductory apology, I read in a manner, not the most deliberate."

As to the last part of this whimsical charge, I shall not pretend to give any answer; because that would be in some measure allowing Mr. *Galloway* capable of judging, what is a "deliberate manner" of speaking.

As to the first part—any man but Mr. *Galloway* would have discovered *why* I began to speak, without recurring to my notes. The resolves were past—and the petition ordered to be drawn in my absence. I never had heard the change spoke of in the house—and did not know but by information of others, the reasons by which the members had been influenced. Before I offered my sentiments, it was therefore necessary for me to discover the arguments that would be used against me. On the information I had received, I had prepared my answer; but to make this answer appear with propriety, I thought it requisite to have the arguments of those who desired a change, repeated before the house. I threw out general objections; and desired to know what reasons could be tho't sufficient to engage the house in so hazardous a measure? Then the "judicious and sensible members" Mr. *Galloway* mentions, and he among them—for that phrase, I suppose, is his way of complimenting himself—discovered all the arguments on which they relied.—They proved to be the same



I expected; and I "retreated to my speech," which was prepared to answer them.

The last objection made by Mr. *Galloway*, of which I shall take notice, is, "that the speech, as printed, is different from that delivered—and that the preface sufficiently *demonstrates*, by whose hands it has been drest up, and with what views it has been published." [44]

Here he is again mistaken. The printed speech is exactly the same with that I pronounced, except the corrections and additions I made to compleat the sense, the evening before it was to be delivered to the Members, as is above mentioned—and except some slight alterations in a few places. *I futher declare*, that I have not received the least assistance from any person in composing and correcting it; not even so much as the addition of a single word; and that no man ever saw it, or knew that I had written it, except my clerk, who transcribed it—untill it was delivered in the House.

As to the preface, it makes no "*demonstration*" that can affect *me*. Finding that Mr. *Galloway* and his emissaries were traducing me in every company, and misrepresenting every thing I had said—I thought these aspersions might be removed, by laying before the public, the reasons by which I had been induced to act as I did. This consideration had the more weight with me, on receiving a letter from some gentlemen in this city, desiring a copy of the speech.

They being my constituents—and men of the clearest characters, I thought it my duty to comply with their request. I sent a copy to them—and they had it printed with such a title, and in such a manner, as they thought proper, *without even consulting me*; which could not conveniently be done as I was out of town.—For immediately after delivering the copy, I was obliged to go into the country for my health. I went to the *Jerseys*. While I

was there, the preface was written, and printed. I never was made acquainted with its contents, till it was published. I do not even know at this time who wrote it, but by common report. [45]

Every thing I have said on these last heads, is known to be true, by my friends; whose virtue and good opinion I too much revere, to appeal to them as witnesses, if I was not conscious of the *sincerity* with which I speak.

Thus have I *faithfully* laid before the public, my whole conduct relating to the change of our government, and the reasons on which it was founded. If sensible and good men approve of my behaviour, I quit without regret the applauses of others, and all the attendant advantages, to those, who think proper to court them.

JOHN DICKINSON.







## APPENDIX.

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What sin of mine could merit such a fate?  
That all the shot of dullness now must be  
From this the BLUNDERBUSS discharg'd on me!

—Pope.

Weakness and ignorance when attended by modesty, are naturally entitled to pardon and to pity. But when they impudently pretend to the characters of wisdom and knowledge—when they aim at power, which they understand not how to exercise—and to honours, which they understand not how to deserve—when they make use of their *good fortune* in life to wound their country—insolently to *abuse* those, who *know* and *despise* them—and when with proud and solemn formality, they *demand* a respect by no means due to them—*then* they become the proper objects of *contempt* and *ridicule*, if not of *hatred*.

It is not my intention to trouble myself with observations, on Mr. *Galloway's* continual \* breaches of the rules of grammar; his utter ignorance of the English [ii] language; the *pompous obscurity* and *sputtering prolixity* reigning through every part of his piece; and his innum-

\* "But, Sir, let me ask, what public good, what service to our country can we do, when proprietary *instructions*, and *proprietary private interest* is to enslave our judgment, and to rule in our councils."

Pretended SPEECH, pa. 29, at the bottom.

"Besides, Sir, I have seen the opinions of some very great men, his majesty's servants, and often near his person, that the *powers* of government is an interest that cannot be transferred or aliened."

Pretended SPEECH, pa. 43.



erable and feeble \* tautologies. *This labour would be too great.* I only intend to present to the public, stript of that *bundle of words* in which he has rolled them up, a small collection of his rhetorical flowers and figures. Sorry am I to say it—*flowers* without *fragrance*—and *figures* without *force*. Yet perhaps their *novelty* may recommend them.

Some authors have industriously endeavoured in their writings, to *surprize* their readers—and some readers have thought this a great merit in authors. With gentlemen of this taste, Mr. *Galloway* must be a darling writer—for no man ever possess so *surprizing* a way of *surprizing* his readers. A few instances will discover his excellence in this kind.

† “Let us but consider, says he, that the experience of ages, fully demonstrates *wealth* to be the parent of power, the *nurse* of influence : and that an increase of wealth, will as naturally *beget* an increase of power and influence, as an increase of velocity in the *falling stone* will produce more certain death.”

In the third line of this simile, *wealth* is the *nurse* of influence—but in the fourth, this *nurse* is the *begetter* of influence—a transition somewhat sudden and odd—but it does not stop here—for ‡ three pages further, this *begetting nurse* is turned into a *weapon*, and put into the hands of its own child, INFLUENCE. What now, [iii] could a reader expect, that this wicked child, § “*improbus ille*

\* “Pretended speech—passim—greatest wealth and most invaluable jewels—“bondage and thralldom”—“spending and wasting”—“fruitless and ineffectual”—“conduct and behaviour”—“such horrid guilt, such heinous offences”—“groundless fears and frightful apprehensions”—&c, &c, &c, &c.

† Pretended speech, pa. 10.

‡ Id., pa. 13, line 5 from the bottom.

§ Ovid.

*puer*," would do with the *nurse* that *begat* him, changed into a *weapon*.

Will he cut and destroy? No! With *that weapon*, he will—what will he do? \* "En—crease our discredit, and the ministerial displeasure." What *vivacity* of invention? What *uncommonness* in the figure? What *strength* in the expression?

But this is not the only beauty of this curious simile. What *precision* is there in the expression of "*the falling stone?*" For what would an increase of velocity signify to any thing else but a "*stone?*" Or to any other stone but "*the fall—ing stone?*" Besides, how exactly has Mr. *Galloway* provided some unlucky *head* for this stone to fall upon, in order to produce "more certain death?"

Mr. *Galloway's* ingenuity, in forming the extraordinary *weapon* above-mentioned, out of the *nurse*, is nothing, when compared with his following feats. *Ovid* with his *Metamorphosis* was but a *type* of him.

In the forty-third and forty-fourth pages of his piece, he makes *Weapons*, (as has been hinted) out of the "*old contract*" between the crown, and the first proprietor; "out of an *opinion* of the king's servants;" and out of the "quit-rents in the lower counties." For having copiously mentioned these several matters, he concludes, † "THESE are the WEAPONS, which I am confident will be used for the restoration of our liberties."

If he can make *weapons* out of *such slight stuff*, it seems a probable opinion, that he can form them—in *his way I mean*—out of an "ideal shadow," or "a chimerical notion"—or what is still more extraordinary—even out of his own *courage*. [iv]

Mr. *Galloway*, ever *fruitful* in *useless* inventions, has

\* Pretended speech, page 13, line 4 from the bottom.

† Pretended speech, page 44, line 1.

found another way of giving *surprise*—and that is, by using the same word in different senses in the same page or sentence. Thus, speaking of our first impracticable frame of government, and its change, he says—\* “if it (meaning the change) is *valid*, then the resolution of this House for a change, assented to by nine tenths of the members met, must be *valid also*.”

But the resolution of the assembly *alone* cannot make a change of the government; and therefore he cannot mean, that it is *valid*, in the *same manner* with the first change, which was made with the consent of *every branch* of the legislature. So that by these words, “*valid also*” must be intended some *other* kind of *validity*, of which no man but Mr. Galloway can form an idea—unless it be, that this *valid resolution* binds those who made it, and no body else.

Mr. Galloway seems to be very fond of these *abstruse meanings*, which has inclined some people to think him addicted to the study of the † “*occult sciences*.” What else could induce him to talk of the king’s *naming* our governors with his hands—or of people’s *reading* with their *mouths*, and hearing with their *eyes*.

“We ask the king” says he, ‡ “to take the *nomination* of the governor who is to rule his people into his [v] royal *hands*”—and afterwards—“§ can we stop the MOUTHS,

\* Pretended speech pa. 34.

† This supposition will not appear unreasonable, if it be considered, that Mr. Galloway speaks in direct terms of “THE ROYAL MEDICINE,” an expression used *only* by *adepts* in the occult sciences, with whom it signifies some wonderful secret, by which dead persons may be restored to life; and what renders the supposition more just, or indeed reduces the matter to a certainty, is—that Mr. Galloway uses the expression, in the very same sense.

Pretended Speech, pa. 44.

‡ Pretended speech, pa. 8 and 18.

§ Pretended speech, pa. 37. “But, Sir, should we waive these things, and draw our petition in a different dress, can we annihilate the messages



and close the EYES of *all England* and *America*, or prevail on his majesty, or the ministers, to bury in oblivion what they have, e'er now, so often READ and HEARD?"

What a charming confusion, what a motley mixture is here—of "stopt mouths"—"closed eyes"—"reading and hearing"—"*All England and America*"—"majesty."

Who that meets with such expressions as these, and has read *Ecclesiasticus*, can forbear admiring the truth of that verse, which says—\* "The heart of the foolish is like a "cart-wheel; and his thoughts are like a rolling axle-tree."

Nothing less than a love of the "*occult sciences*," can give one a true relish of these *mystical lucubrations*, with which Mr. Galloway's piece abounds. Any person may observe, that *his meaning* always appears like an [vi] object in a *mist*, that renders it confused and indistinct; which kind of deception may cause persons of weak sight sometimes to a mistake a *lamb* for a *lion*, or Mr. Galloway for a *gentleman*.

between the governor and assembly? Can we withdraw the governor's proclamations? Can we hold the hands of his majesty's general, whose aid we were obliged to accept, from giving the intelligence? Can we stop the *mouths* and close the *eyes* of *ALL England* and *America*, or prevail on his *majesty*, or the *ministry*, to bury in oblivion what they have, e'er now, so often *read* and *heard*."

N. B. "*All England*" does not include *the king and ministry*.

Mr. Galloway may indeed say, that the expression of "*reading with the mouth*," is proper when a man reads *aloud*. I grant it under *that restriction*—and therefore let it be supposed, that *ALL England AND America*, AND his *majesty* AND the *ministry* *read aloud*, like boys in a country school.

Perhaps some persons may think *me* more obliged to Mr. Galloway, in this part of what he calls his speech, than I have yet acknowledged myself to be, since he seems to have aimed at an *imitation* of these my expressions.—Though *we* should keep the secret, can we seal up the lips of the proprietors? Can we recall our messages to the governor? Can we annihilate our own resolves? Will not *all*—will not *any* of these discover the *true cause* of the present attempt?"

\* Ecclesiasticus xxxiii. 5.



How remote from the plain, common mode of speaking, is this sentence, \* "We have often attempted to obtain relief from oppression from the proprietaries, but in vain."

The *reader* may guess at the meaning—but the writer leaves it doubtful whether application was made to oppression against the proprietors,—or to the proprietors against oppression.

What a beautiful obscurity is there in this sentence? "If, † Sir, a true representation of the uncommon mischiefs which attend the liberties of a free people, ‡ arising from the very nature of proprietary government—If a true state of our present confusion, both in and out of our public councils—If a *just* account of our present insecurity of life and estate, given to the crown, be a *just* cause of terror, then the gentleman's pannick is *just*. But, Sir, *these things*, I conceive, are rather causes of *joy*, than fear. 'Tis from hence, we must hope to be relieved from our present unhappy circumstances."

Now what "*things*" can a reader find in this description, if he is a good man, that are "causes of *joy*?" [vii] Not the public misfortunes to be sure.—What then? Not the "representation" "state" and "account" of calamities, because it is said "they are *true*." What then can be a "cause of *joy*?" *Eureka! Eureka!* This "representation" "state" and "account" may "relieve us from our present unhappy circumstances." May they so? But *until* we are so delivered, if we are the miserable people

\* Pretended speech, pa. 5, line 2.

† Pretended speech, pa. 35.

‡ Quære—Whether the *mischiefs* or *liberties* arise "from the very nature of proprietary government?" The reader will no doubt take notice of the pretty repetition of that little word "if" which Mr. *Galloway* seems to have introduced with no other intention, but to rescue the poor monosyllable from the obscurity, in which hard hearted authors have suffered it to languish.—He has done the same justice in several places to the merit of that other diminutive word "Of" *In est sua gratia parvis*.

Virgil.

we have been described, a patriot in the midst of *present* misfortunes, would from an *uncertain* prospect of relief, hardly find "cause of joy" tho' he might entertain some *hope*. A man on the rack would scarcely feel *joy*, tho' he might have expectations that he would some time or other be released.

This may be called the true "twilight way of writing," which like the bat in the fable, keeps in the middle between *sense* and *nonsense*, to the exceeding edification and entertainment of those readers, who like paragraphs that are *mysterious* and *wordy*, because they show *depth* and *language*.

Another sentence in which Mr. *Galloway* gives the reader a very pretty *surprise*, is that, where he says—\* "this colony has so remarkably flourished, and *now* takes off such vast quantities of *English* manufactures, *from no other cause but her extensive privileges*."

How *new* and *striking* is this observation? Any other person would have said, that "the people took off such vast quantities by reason of their necessities or luxuries." But Mr. *Galloway* scorns such trite notions—He establishes a new dogma—"our extensive privileges take them off." †BROAD-SHOULDERED PRIVILEGES! *indeed*. [viii]

Perhaps if he should write a comment on his own text, he would say—that he meant, that the extensive privileges occasioned the *settlement* of this province—and the settlement occasioned the *demand* for the manufactures—and so the privileges were ‡ *Causa sine qua non*. But this argument will not extricate him—since, if he travels so far backwards, the same way of argument will oblige him to go still farther.—For those privileges would not have been granted by *William Penn*—unless *Charles* the second had

\* Pretended speech, pa. 6.

† Pretended speech, page 15.

‡ That is "the cause without which the manufactures would not have been taken off."



first made a grant to *him*—which would not have been, *but for his father's services*—and so, *these services* of old admiral Penn, who died in the last century, “Now take off such vast quantities of *English* manufactures.”

In this *extraordinary manner* does Mr. Galloway indulge himself in his *political reveries*. Even the most simple and common observations in life, utterly lose their force in his language.

The *mystical lucubrators*, among whom *he* may with justice claim the president's seat, seem to be *first-cousins* to the authors of the PROFUND style. Certain it is, that they are governed by the same laws, and that there is a wonderful resemblance in their productions. In order to prove this, I shall beg leave to mention the *rules* to be observ'd by that numerous and venerable society, as they are described by Mr. Pope, in his learned treatise ΠΕΡΙΒΑΘΟΥΣ.

\* “I Will venture to lay it down, as the first maxim and corner-stone of this our art; that whoever would excell therein, must studiously avoid, detest, and *turn his head* from all the ideas, ways, and workings of that pestilent foe to wit, and destroyer of fine [ix] figures, which is known by the name of *common sense*. His business must be to contract the true *gout de travers*; and to acquire a most happy, *uncommon, unaccountable* way of thinking. His design ought to be like a *labyrinth*, out of which no body can get clear but himself.”

Again—“† our authors of this style, should lay it down as a principle, *to say nothing in the usual way*, but (if possible) in the direct contrary; therefore the figures must be so turned, as to manifest that intricate and wonderful *cast of head*, which distinguishes all authors of this kind; or (as I may say) to represent exactly the *mold* in which

\* Pope's works, vol. vi., page 172.

† Pope's works, vol. vi., pa. 190.

they were formed, in all its *inequalities, cavities, obliquities, odd crannies and distortions.*

"It may be observed, that the world has been long weary of *natural things*. How much the contrary are formed to please, is evident from the universal applause daily given to the admiral entertainments of Harlequins and Magicians on our stage. When an audience behold a coach turned into a wheel-barrow, a conjurer into an old woman, or a man's head where his heels should be; how are they struck with transport and delight?"

Yet what are *all these*, when compared with Mr. Galloway's changing in an instant a *nurse* into a *weapon*, and putting that *weapon* into the hand of *its* own child? Or what are they to his forging *weapons* out of an *old parchment*, an *opinion*, and *arrears of quit-rents*? What author of the *profund* can vie with this our Pennsylvanian patriot?

"*Ye little stars, hide your diminished heads.*" [x]

Not to dwell upon other instances, how exquisitely "*uncommon*," "*unaccountable*" and "*unnatural*" is his making our privileges take off all the English beer and cloth imported into this province? And also his making the king strip us of liberties, of which we were stript before?

The great poet I have mentioned further observes, \* "that the manner of these authors forming their thoughts is aided by familiarizing their minds to the *lowest objects*; and exercising them on the dregs of nature."

Numberless instances in our author's piece prove how much *his* thoughts have been formed on this plan. I will only mention one, where to revive and regale his reader's imagination he kindly puts him in mind of a *certain sweet-smelling place*.

These, "WITH MANY OTHER PARTS" of this our

\* Mr. Pope's works, vi. vol., pa. 180, 181.



"political institutor" which must be remarked by any careful peruser, are "irrefragable proofs" with what diligence and success, he hath studied the aforesaid treatise.

I now proceed to that renowned page, where the whole powers of Mr. *Galloway's* genius are collected into one dreadful simile.

With great propriety, (says he,) a *political body* has often been compared to a *human constitution*. Let us suppose then, that a *human constitution* is attacked by a violent disease, the EFFECT whereof has *nearly destroyed the powers of life, and living motion,\** and nature is † [xi] *no longer capable of struggling for relief.*"—Surely this *human constitution*, whose *vital motion* as well as its *powers of life* are nearly destroyed," is now *sick enough* for any simile in the world.

"Is not this the time to apply the remedy? No! For it should have been applied before—and now nature is so much exhausted, may "entirely destroy" her—which frequently happens, when people will venture to take physick from "*quacks*;" who are a sort of gentry, never remarkable, before Mr. *Galloway* made the discovery, "for waiting in hopes of some lucky crisis"—NOW NEVER, is a motto, that suits *all empirics*.

"The powers of legislature *truly resemble the soul*, which animates and directs" not only "the *conduct*" but "the *behaviour of the political institution.*" Yet these "*powers of legislature truly resembling the soul,*" nine lines afterwards, are so checked and controlled that they are "almost ANNIHILATED"—poor soul!

\* This is a mistake—for it is "vital" in the original—however it is to be hoped this error will be excused, as the words "vital" and "living" have nearly the same meaning.

† It is to be remarked by the reader, that tho' nature is "*no longer capable of struggling*" at the *beginning* of this simile, yet this is only to heighten the description—a licence frequently taken by Mr. *Galloway*—for before the simile is finished, she "can and does struggle"—and the only danger is, that "death will put an end to them."

An *upright* administration of justice resembles "the *active blood*, which by its pure and uninterrupted course, preserves and supports its health and vigour." But *we* have no *upright* administration of justice in this province, according to our author, and therefore by his own simile, no *active blood* in our *political institution*. Yet immediately after, he says, "In these *two vital parts*," to wit, the \* passive soul and † active blood, "the fever of ambition and ‡ arbitrary power is, and has been raging with unremitting violence."

Perhaps the author of this famous simile may say, that by the "vital parts" he means the power of legislature, and the administration of justice—But this will be a contradiction of himself, for he only allows "an *upright* administration of justice" to be a *vital part*; and as among us, "the stream of justice is become so *turbid* and *thick*, that it *can no longer discharge its duty*," this "vital part" composed of "an upright administration" is wanting.

However, if both these *vital parts* should be *annihilated*, Mr. Galloway has allowed the *fever* room enough to exert itself. "It rages, says he, in these two vital parts, *with many others*."—§ "Well chosen, *that expression*, and prudently guarded." It rages not only in the *soul* of the *legislature*, and the *active blood* of the *administration*—but in MANY OTHER VITAL PARTS. Unexampled energy of diction!

\* This word "passive" is inserted here—it being suppos'd that it was omitted by a mistake in the original, as Mr. Galloway has given the epithet of "active" to the blood, in order to distinguish it from some opposite quality in the soul.

† Quære, if physicians, surgeons or anatomists reckon the "active blood" among the "vital parts?"

‡ Quære, what is the fever of *arbitrary power*?

§ Preface to pretended speech, page 24.



\* When "active blood" shall flow in lifeless veins,  
The wondring world shall praise thy "turbid" strains.

Perhaps some curious critics may be disgusted at the preference Mr. *Galloway* gives the *legislative powers* over an *upright administration of justice*, in comparing the first to † "that particle of divine air" the *soul*; and the latter to mere matter—the *blood*. But this seems to be too hasty a censure, by no means to be adopted—for *it is to be observed*, that soon after, in saying "these two vital parts" he places the *soul* and *blood* exactly *on a level*, making them both "vital parts" *without the least distinction*. Besides Mr. *Galloway*, when he uses the word "soul" or "spirit" does not annex the *same idea* to the term, that is always annex'd by others—for *he* talks of a "*spirit*" that may be "*worn out*," and "*dissolved*," and to which "*reviving medicines may be administered*." "And if such a medicine can be obtained, shall we not even attempt to obtain it, before the MIDNIGHT GLOOM approaches, and FATAL DEATH puts an end to our struggles?" Undoubtedly! *Doctor*—and if it proves a *preventive* against these dreadful disorders—*midnight gloom* and *fatal death*—I shall hereafter entertain a better opinion than I do at present, of those bold pretenders, who undertake to cure all diseases "past, present and to come," by a ROYAL MEDICINE, or some other *nostrum*, with the like pompous title.

\* Blasted.

† "*Divinæ particulam auræ.*" Horace.

FINIS.



**AN ANSWER**  
**TO**  
**JOSEPH GALLOWAY.**

**BY**  
**JOHN DICKINSON**

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**SEPTEMBER 29, 1764.**



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## NOTE.

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Dickinson's charge, that Galloway had not delivered the speech he printed, led to Galloway's preparing a reply, which he first (if we accept Dickinson's statement) offered to a newspaper, and on its refusal to print the reply, unless first shown to Dickinson, he printed it as a broadside, with the headlines:

To the / Public. / Philadelphia, September 29, 1764.

Before the printing, Dickinson heard of the piece, and prepared the following reply, which was published the same day as Galloway's squib, and before Dickinson had seen the latter. This evident foreknowledge caused criticism, and induced Dickinson to publish an explanation in the *Pennsylvania Gazette* of October 4, 1764:

Having heard that some Persons, on seeing a Paper that came out Yesterday in my Name, have supposed the Printer therein mentioned acted too busily, in giving me Intelligence of the Piece Mr. *Galloway* carried to him, in order to be published in his News-Paper; I think myself obliged, in Justice to the Printer, to declare, That having been informed by several Persons, without receiving the least Intelligence from the Printer, that Mr *Galloway* intended to publish something against me in the next Paper, I went to the Printer Yesterday was a Week, and, telling him what I had heard, desired that, if there was any Truth in the Report, he would be so just and impartial, as to print nothing that might affect my Reputation, without allowing me to see and answer it in the same News-Paper.

He said, that no such Writing was sent to him.—I called upon him again next morning, and made the same Request; but nothing was then come to his Hands.—I told him, that if he was desired to conceal the Paper from me, when sent, it could be with no other Intention than to injure me, by taking an unfair Advantage of me; and I entreated him to act in such a Manner on this Occasion, as he would wish me to do, was I the Printer, and he the Person attacked.

The Paper was soon after carried to him.—He desired to know

whether it might be shewn to me.—To this Mr. *Galloway* would not consent ;—and the Printer then acted as he thought right.

John Dickinson.

October 2, 1764.

The *Answer* was originally printed as a four paged, octavo pamphlet, without title or heading, the lining of the first three lines being :

Last Tuesday morning Mr. *Galloway* / carried a writing containing some reflec- / tions on me, to a printer in this city / and desired he would insert it in his / next News-Paper—

It was afterwards reprinted in the *Pennsylvania Journal* of May 2, 1765, with the following prefatory note :

MR. BRADFORD. *By reprinting the following piece which was published by Mr. DICKINSON, on the day of the last election, you will oblige many of your readers, and particularly your humble servant. J. W.*

—EDITOR.



Last Tuesday morning Mr. *Galloway* carried a writing containing some reflections on me, to a printer in this city, and desired that he would insert it in his next News Paper. The printer told him he would print it, but that he thought it very *just* and *reasonable*, if his paper published anything against me, that I should see it first, and have an opportunity of defending myself in the same News Paper, and at the same moment that I was attacked. This Mr. *Galloway* utterly refused to consent to, and declared that he would not have it printed, unless it was kept a *secret* from me. The printer would not agree to this most *unjust* and *unchristian* proposal, and Mr. *Galloway* took away the writing, and said "*he would have it done somewhere else.*"

Thus am I exposed to the shafts which my ungenerous enemy shall please to shoot at me in the dark. I know not on which side the blow is to come—nor with what weapon it is to be given. Of this however I am assured, that it is to be a *poisoned weapon*.

I have been informed that Mr. *Galloway* has procured from some members of the assembly a certificate, "that he spoke the *substance* of his *pretended speech* in the House"—And thus he endeavours to shew, that I have told a falsehood to the public by saying in my *Reply*, "that he never spoke a *sentence* of it in the House."

As I have not seen this certificate, I cannot speak of it with any certainty; and therefore if it is different from what I have heard it is, I hope every candid person will pardon any error I may commit in answering it.

I understand the certificate does not mention the day when Mr. *Galloway* delivered the *substance* of his pre-



tended speech—Nor what the members mean by the “*substance* of it.”

The public will please to take notice that there were *debates* (as Mr. *Galloway* says) on Saturday the twenty-fourth day of *March* last, when the resolves were past.—There were *debates* also on Wednesday the twenty-third day of *May* when the committee was appointed to draw up the petition to his Majesty—at both which times I was sick and absent from the House.

I have also informed the public in my *Reply*, that before I made my speech to the House, “I threw out general objections, in order to discover the arguments which induced the House to take so dangerous a step.—And that thereupon several members, among whom Mr. *Galloway* was one, assigned their reasons for the measure.”

These reasons were—the injustice of the proprietors—the misery of this province—the danger from the rioters—the great advantage of our having a military force established among us—that able council, to wit, our agent had said we could have a change and preserve our privileges—that the proprietors had not so much interest as they used to have—and that if their interest was ever so great, our privileges would never be taken from us without an act, which the parliament would never pass.

All these things having been mentioned by several persons at different times, and part of them by Mr. *Galloway*, I cannot forbear thinking that the members who signed the certificate, having heard these things, and not carefully attending to the times when they were spoken, have confounded them all together, and bestowed them upon their friend, Mr. *Galloway*—as if spoken in answer to what I said.

But even *these Members* do not pretend (as I am informed) to say, that Mr. *Galloway* ever spoke in the House, one *Page*, or even one *Sentence*, as I said, of his *pretended* speech.

They say "he spoke the *substance*."—A loose expression! to which every one of them perhaps annexes a different idea. It is not improbable that these gentlemen might think themselves justifiable in giving *such a certificate* to half the members in the House.

One observation will sufficiently shew how greatly these certifying gentlemen must be mistaken. I delivered my sentiments to the House on *Wednesday*, the 24th of *May*.—The Petition to the King was signed by the Speaker on *Saturday*, the 27th of the same month. How incredible is it, that Mr. *Galloway* should *immediately* have delivered the "*substance*" of his pretended speech to the House—and yet should spend *eight weeks* in putting it into *form*.—If he could make the *body* in so short a time, it is most extraordinary, that he could not make the *cloaths* or *dress* for that body in eight weeks.

One thing more I beg leave to mention—it is this—that these certifying members must have the best memories in the world, to be able to say with certainty what was the "*substance*" of a Discourse they heard above three months before, of which they did not take a single note.

Having said thus much of this Certificate, I will now relate plainly what past in the House on my delivering my sentiments, and I appeal to every member of the House as witnesses of the truth with which I speak.

After I had spoken, Mr. *Galloway* rose up, and having spoke about four minutes, it was observed that the speaker was so ill, that it was proper to adjourn—The House agreed to an adjournment, and I was desired to leave my notes on the table. I excused myself from doing that, as they were imperfect; but I said I would get them ready for the members' perusal as soon as I could; and would let Mr. *Galloway* have them that evening, if I could get them ready.

Mr. *John Ross* declared, that I had thrown many new



lights on the affair, and he should be glad to have it more thoroughly considered.

The House adjourned—Mr. *Galloway* called on me for the notes—they were not ready. Next morning I took them to the House—no person asked for them. I did the same in the afternoon—no person asked for them.

The next time the Petition was mentioned, Mr. *Galloway* spoke—and said “it was IMPOSSIBLE to answer my speech, BECAUSE I had not given him my notes—and that it was quite UNNECESSARY to do it, BECAUSE the members who were for a change, intended to take those very precautions I had recommended.

Mr. *Ross* then rose and said, “that what I had said, had at first given him a great deal of uneasiness, as I had mentioned several difficulties and dangers that had not before occurred to him; but that upon considering the matter since, he was satisfied that my apprehensions were not so well grounded as he had thought them, because the House intended to act in the cautious manner I had recommended.”

Thus IMPOSSIBLE and UNNECESSARY was it *at that time* to answer what I had said, or to take any more notice of it.

It was unworthy any further attention, till Mr. *Galloway* took it into his head to set up for the author of a speech.

Then his good friends furnished him with the best vouchers they could, to support his title as an author—and thus the certificate was produced. The contents of it have been basely concealed from me, to render the stab mortal—and why am I alone attacked with this malice and violence? BECAUSE I have endeavoured according to the best of my understanding, in obedience to the dictates of my conscience, and in discharge of my *duty* to my country, to preserve the rights and privileges of the good people of *Pennsylvania*.

JOHN DICKINSON.

*September 29.*

A RECEIPT

TO MAKE A

SPEECH.

BY

JOHN DICKINSON.

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OCTOBER, 1764.



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## NOTE.

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This is a satire on the *Speech of Joseph Galloway, Esquire*, and shows what hot anger the whole controversy had occasioned. It was printed as a small quarto broadside, the headlines being.

A / Receipt / to make a / Speech. / By J . . . . . G . . . . .  
Esquire.

Hildeburn (*Issues of the Press in Pennsylvania*, II, No. 2250) states that it was printed by William Bradford. A copy in the New York Historical Society has a manuscript poem, in Dickinson's handwriting, on the back.

EDITOR.

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## A RECEIPT TO MAKE A SPEECH.

BY J - - - - - G - - - - - , ESQUIRE.

Take of the *Leaves of Law dry'd in Jacob's\* Hortus Siccus*, as much as will lie on the Point of a Penknife; of History (*Bauers* if it can be got) a Scruple, *bruised* to a Pap; of the words "Liberty, Property, Proprietary, private Interest and Power, Injustice, Misery, Slavery, Thralldom, Bondage, Captivity, Magic Charm," &c., &c., &c., &c., &c., two double handfuls; add to these "Midnight gloom," "Fatal Death" "Powers of Life" and "Vital Motion," strengthen the Composition with Independence, Malice, Envy, Hatred, Ill-Manners, and all kind of Uncharitableness, well moistened with two Bottles of *old Madeira*, that has been at *Havana*; put all these ingredients into an *Empty Head*, keep them covered warm (with a *large wig*, well powdered, for† *eight weeks*, shaking them together and stirring them about with an *electrified Rod* every twenty four Hours:—The Fermentation will at length grow very violent, and when it is highest, pour out the Mixture, which will by that time, become very "*Turbid and Thick*," on clean‡ *Pro Patria* Paper, that has been long kept in a damp foggy place.

This preparation has the greatest Success in giving a *flow of Spirits* to those who take it, of anything that was

\* *Hortus Siccus*, is a term applied to a new Invented Method of drying Herbs in Sand, which preserves their Colour, but destroys their Virtue.

† So long a pretended Speech was breeding.

‡ In English a Term "for our own Country" from which Expression a particular kind of Paper takes its Name.



ever invented. A few pages will be a sufficient Doze for exhilarating a well grown *School Boy*; and such its Efficacy, that if it is only *opened* in a Room full of Company, it will immediately set them all a laughing. *Probatum est.*



A PROTEST  
AGAINST THE APPOINTMENT  
OF  
BENJAMIN FRANKLIN  
AS AGENT FOR THE  
COLONY OF PENNSYLVANIA.  
DRAFTED BY  
JOHN DICKINSON.

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OCTOBER 26, 1764.

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## NOTE.

In order to carry out the policy begun by the petition to the king to assume the government of Pennsylvania, the Assembly, on October 26, 1764, by a vote of 19 to 11, appointed Franklin an additional agent to act for the colony in London. The *Votes and Proceedings* record that :

It being moved by the Members on the Negative of the foregoing Question, that they be allowed to enter the Reasons of their Dissent on the Minutes of the House, a Debate arose, in which some Opposition being given to their Motion, the said members did not insist on the vote. Eight of the protesting members, however, united in signing this protest, and it was printed in the *Pennsylvania Journal* for November 1, 1764, with a prefatory note as follows :

Mr. Bradford,

The Subscribers, at the Close of the late Debate in Assembly, concerning the sending Mr. Franklin to England as an Assistant to our Agent there, having offered a PROTEST against that Measure ; which was refused to be entered on the Minutes, it is now thought proper to take this Method, of laying before the Publick the Reasons on which their Dissent was founded.

The Protest was translated into German and printed as a pamphlet, with the title of :

Protestation / gegen die Bestellung / Herrn Benjamin Franklin's zu einem Agenten für / diese Provinz, / [Followed by] Anmerkungen / über eine neuliche / Protestation / gegen die Bestellung / Herrn Benjamin Franklin's zu einem Agenten für / diese Provinz / [Germantown : Christoph Saur. 1764.] Fol, pp. (4.)

It was also reprinted in Horace Smith's *Life and Correspondence of William Smith* (Philadelphia, 1878), from the types of which a small edition was separately printed with the title of :

The Reasons / on which were founded, / The Protest / offered by certain members of the / Assembly to that Body / Concerning the Sending of Mr. Franklin to England as Assistant / to our Agent there. / (From the *Pennsylvania Journal* of November 1st, 1764.) / Reprinted / Philadelphia, 1878. 8vo, pp. 4.

The authorship of the Protest was no secret at the time, and was re-



inserted in by Isaac Hunt in his *Humble Attempt at Sovereignty* (Philadelphia, 1796), in these terms:

Is not the famous or rather infamous Protest, considered as the Protest of Mr. A . . . and the other Subscribers, that is well known to be drawn up by the pious Mr. D . . . revised, corrected and amended by the Rev. Statesman-dresser-General (William Smith) of the Pro . . . Party?"

See note to *Tristram's Observations*, post, for more concerning this Protest.

EDITOR.



## A PROTEST.

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We whose Names are hereunto subscribed, do object and *protest* against the Appointment of the Person proposed as an Agent of this Province, for the following Reasons.

*First*, Because we believe him to be the Chief Author of the Measures pursued by the late Assembly, which have occasioned such Uneasiness and Distraction among the good People of this Province.

*Secondly*, Because we believe his fixed enmity to the Proprietors will preclude all Accommodation of our Disputes with them, even on just and reasonable Terms,—So that for these two Reasons, we are filled with the most affecting Apprehensions, that the Petitions lately transmitted to England, will be made use of to produce a Change of our Government, contrary to the Intention of the Petitioners; the greatest part of whom, we are persuaded, only designed thereby to obtain a Compliance with some equitable Demands—And thus, by such an Appointment, we, and a vast Number of our most worthy Constituents, are deprived of all hopes of ever seeing an End put to the fatal Dissensions of our Country; it being our firm Opinion, that any further Prosecution of the Measures for a Change of our Government at this Time, will lay the Foundations of unceasing Feuds, and all the Miseries of Confusion, among the People we represent, and their Posterity. This step gives us the more lively Affliction, as it is taken at the very Moment, when we are informed by a Member of this House, that the Governor has assured him of his having received Instructions from the Proprietors, on their hearing of our late

Dispute, to give his Assent to the Taxation of their Estates in the same manner that the Estates of other Persons are to be taxed, and also to confirm, for the Publick use, the several *Squares*, formerly claimed by the City;—On which Subjects, we make no doubt, the Governor would have sent a Message to the House, if this had been the usual Time of doing Business, and he had not been necessarily absent to meet the Assembly of the Lower Counties.—And therefore we cannot but anxiously regret that, at a Time when the Proprietors have shewn such a Disposition, this House should not endeavour to cultivate the same, and obtain from them every reasonable Demand that can be made on the part of the People; in vigorously insisting on which, we would most earnestly unite with the rest of this House.

*Thirdly*, Because the Gentleman proposed, as we are informed, is very unfavorably thought of by several of his Majesty's Ministers; and we are humbly of Opinion, that it will be disrespectful to our most Gracious Sovereign, and disadvantageous to ourselves and our constituents, to employ such a person as our Agent.

*Fourthly*, Because the Proposal of the Person mentioned, is so extremely disagreeable to a very great Number of the most serious and reputable Inhabitants of this Province of all Denominations and Societies (one Proof of which is, his having been rejected, both by this City and County at the last Election, though he had represented the former in Assembly for 14 Years) that we are convinced no Measure this House can adopt, will tend so much to inflame the Resentments and imbitter the Divisions of the good People of this province, as his Appointment to be our Agent—And we cannot but sincerely lament, that the Peace and Happiness of Pennsylvania should be sacrificed for the Promotion of a Man, who cannot be advanced but by the Convulsions of his Country.

*Fifthly*, Because the unnecessary haste with which this



House has acted in proceeding to this Appointment (without making a small Adjournment, tho' requested by many Members, to consult our Constituents on the Matters to be decided, and) even before their Speaker has been presented to the King's Representative, tho' we are informed that the Governor will be in Town the Beginning of next Week;—may subject us to the Censures and very heavy Displeasure of our most gracious Sovereign and his Ministers.

*Sixthly*, Because the Gentleman propos'd, has heretofore ventured, contrary to an Act of Assembly, to place the\* public Money in the Stocks, whereby this Province suffered a loss of £6000; and that sum added to £5000 granted for his Expences, makes the whole Cost of his former voyage to England, amount to ELEVEN THOUSAND POUNDS; which expensive kind of Agency we do not chuse to imitate, and burden the Public with unnecessary loads of Debt. For these and other Reasons we should think ourselves guilty of betraying the Rights of Pennsylvania, if we should presumptuously commit them to the Discretion of a Man, against whom so many and just obligations present themselves.

*Lastly*, We being extremely desirous to avert the Mischiefs apprehended from the intended Appointment, and as much as in us lies to promote Peace and Unanimity among us and our Constituents, do humbly propose to the House, that if they will agree regularly to appoint any† Gentleman of Integrity, Abilities, and Knowledge in England, to assist Mr. Jackson as our Agent, under a Restriction not to present the Petitions for a Change of our Government, or any of them, to the King or his Ministers,

\* The Money here meant was a Sum granted by Parliament as an Indemnification for part of our Expences in the late War, which by Act of Assembly was ordered for its better Security to be placed in the Bank.

† Dr. Fothergill was mentioned by the Subscribers as a proper Person.



unless an express Order for that Purpose be hereafter given by the Assembly of this Province; we will not give it any Opposition; But if such an Appointment should be made, we must insist (as we cannot think it a necessary one) that our Constituents, already laboring under heavy Debts, be not burthened with fresh Impositions on that Account; and therefore, in Condescension to the Members, who think another Agent necessary, we will concur with them if they approve of this Proposal, in paying such Agent at our own Expence.

JOHN DICKINSON,	WILLIAM ALLEN,
DAVID McCANAUGHY,	THOMAS WILLING,
JOHN MONTGOMERY,	GEORGE BRYAN,
ISAAC SANDERS,	AMOS STRETTELL,
GEORGE TAYLOR,	HENRY KEPPELE.

October 26, 1764.



OBSERVATIONS

ON

MR. FRANKLIN'S REMARKS

ON A LATE

PROTEST.

BY

JOHN DICKINSON.

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NOVEMBER, 1764.





## NOTE.

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On the publication of the *Protest* (*ante*, page 149) Franklin, then on the point of sailing for England, wrote :

Remarks / on a late / Protest / Against the Appointment of / Mr. Franklin an Agent / for this Province / [Philadelphia : Printed by B. Franklin and D. Hall. 1764.] 8vo, pp. 7.

Which is also reprinted in Bigelow's edition of Franklin's *Writings* (III, 356). This was in turn replied to by the Rev. William Smith in :

An / Answer / to / Mr. Franklin's / Remarks / on a late / Protest. / Philadelphia : / Printed and Sold by William Bradford at his Book- / Store, in Market-street, adjoining the London Coffee-house. / M.DCC.-LXIV. 8vo, pp. 22.

Dickinson also wrote a reply to Franklin, which apparently was never published, and is now printed from the manuscript copy preserved in the Historical Society of Pennsylvania.

EDITOR.







## OBSERVATIONS ON MR FRANKLIN'S REMARKS.

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As Mr Franklin's Remarks on the Protest against his Appointment as an additional Agent For this Province, were not publickly dispers'd till he had sett off from Philadelphia on his Voyage to England, I considered them as a parting Blow, and that the Publication of any observations thereon in his absence, might seem ungenerous; for which Reason, I took little Notice of the insulting Air wherewith some persons attributed the Neglect of his Remarks, to their being unanswerable: But on a Republication of them in the Pensilvania Journal a fortnight after the Author's Embarkation, all Considerations due to his absence appear'd at an End, and it became allowable if not necessary, at a Leisure Hour, to refute such vain opinions so industriously propagated; For which purpose, nothing may perhaps be more effectual, than to strip said Remarks of their artful Disguise, and consider them as consisting chiefly,

Of Misrepresentations.

Of Curious Anecdotes.

& Of Matters Foreign to the Protest.

These last shall be slightly pass'd over, the second briefly pointed out, and my Animadversions of course principally confin'd to the first Head.

Its observable that in the very Introduction, the Protest is contemptuously rank'd amongst such abusive pieces as Mr F. would insinuate he had generally treated with silent disregard; and in the next paragraph the bare mention of said Protest being offered for, and refused an Entry on the Minutes of the House, is called a *Complaint*, merely to

charge the Protestors with an *Absurdity*. But as no complaint was made, no such Absurdity can be consequently chargeable on them, and thus the Force of that—Pompous Paragraph falls to the Ground.

When the Remarker is obliged to own his Share in (or his being the Chief Author of) the Measures pursued by last Assembly, which the Protest justly represents productive of Uneasiness and Distraction amongst the good People of this Province, he attempts to evade the consequence, by confounding the order of Time, and misleading his Readers—into an opinion that the Publick Uneasiness and Distraction pointed out in the protest, had preceded, not follow'd said Measures; for which he gives what some may esteem unanswerable proof, Viz., his own assertion, intirely unsupported, and unexplain'd:

he can as I conceive only mean the Confusion and Disorders produced by the Paxton Rioters,—which had subsided long before the extraordinary Resolves of last Assembly, and the subsequent measures, which (as set forth in the Protest) confessedly occasioned a more serious Uneasiness, a more lasting Distraction, and finally rous'd a Majority of the Electors of this Capital County, (who had generally suffered the first of October to pass unregarded by them for many preceding Years,) to chuse new Members in the place of Mr F. and some others, who had signaliz'd themselves as the chief Authors and Supporters of said Measures.

One *favourite* Step further back, falling under the third General Head, there I leave it, being equally incapable of understanding that the late Indian Ravages have been no cause of *uneasiness*, or that any Act of the Proprietors occasioned those Ravages. Whether the Protesters Information that Mr F. is now very unfavourably thought of by several of his Majestys Ministers, is essentially weakened by his own sole unsupported apprehension that their Informer

is mistaken, can only be left to the impartial Judgment of Well inform'd Readers:—I am too little acquainted with the Black History of private Scandal to follow Mr F. further in that Paragraph, its falling under my third General Head will likewise excuse me; I shall therefore only point out an Anecdote or two which must carry weight, having the Remarker himself for their Author, altho' his friends might perhaps have clamour'd loudly, had any other person said, that "The great Patriot Mr F. ever since he had "any Influence in the Province of Pensilvania, has constantly and uniformly promoted the Measures of the "Crown." And that the same Patriot openly avows "promoting the Change from a Proprietary to a Royal "Government." What would have been thought of such Principles two years ago? Could the Freemen of Pensilvania have swallow'd them contentedly? How happens it now, that any Lovers of their Country can fondly wish to risque their invaluable Charter Priviledges in this Man's Hands? Are not such infatuated?

If sufficient objections against his appointment had not been offered in the Protest, he has now himself given such as are unanswerable; his Abilitys are notwithstanding confessedly great, and the Publick already experiences small Specimen of the curious Schemes which may in time be expected from so projecting an Head, to which we are not a little indebted for that excellent Clause in the £55000 Act pass'd during the Session of last Assembly in May, 1764, obliging every Freeholder to make his or her Return of Property, in Columns &c: should any one imagine that inconvenient exposures of Private Property, hazard of incurring thro' inadvertence or neglect a double or fourfold taxation, great disgust, and abundance of unnecessary charge and trouble, may be occasioned by said Clause throughout the whole Province—Is all this to be plac'd in Competition with the Gratification of a few Patriots Re-



sentment against Mr. T. P. & their Curiosity to pry into the Proprietary Income? when such disinterested Patriotic Ends were to be answered, did they attend to this trifling Consideration, that the utmost possible addition from Mess<sup>rs</sup> Penn's Estate to the publick Tax, cannot amount to one eighth part of the extra expence incurr'd by pursuing this curious Plan?

In the protest it was alleg'd 4<sup>thly</sup> "Because the Proposal of the Person mentioned, is so extremely disagreeable to a very great Number of the most serious and reputable Inhabitants of this Province of all Denominations and Societies, (one proof of which is, his having been rejected, both by this City and County at the last Election, though he had represented the former in Assembly for 14 years) that we are convinced no Measure this House can adopt, will tend so much to inflame the Resentments and embitter the Divisions of the good People of this Province, as his Appointment to be our Agent"—which Mr. F. quotes thus, "Another of your Reasons is, that the Proposal of me for an Agent, is extremely disagreeable to a very great Number of the most serious and reputable Inhabitants of the Province; and the Proof is, my having been rejected at the last Election, tho' I had represented the City in Assembly for 14 Years."

By this artful variation what the Protesters call'd *one proof*, and by including it in a Parenthesis evidently laid small Stress thereon, Mr. F. represents as the *Sole proof* of their assertion—For what purpose—his triumphant insults and shocking Abuse in the two next Paragraphs plainly shew.—It is sufficient however, that by a fair quotation from the Protest, and his remarks, I have remov'd this fictitious Foundation, the whole Superstructure must at once fall, and the protest be clear'd from that Ideal Victory.—But the Rancour unguardedly thrown out by the

Remarker on that occasion—will remain on Record.— Could a Majority of the Freemen of Philadelphia County a few Years ago have expected that so great a Patriot would in resentment for their only taking upon them to reject him once in 14 years, have insulted them by the opprobrious appellation of wretched Rabble brought to swear themselves intituled to a Vote, and charg'd them with the Guilt of numberless Falshoods and Perjuries? Could it have been imagined that a Gentleman who had long sat in the Honourable House of Assembly should be so far lost to Decency as publickly to charge a Number of the present Members of Assembly, with Artifices at the Election, with double Tickets, and whole Boxes of Forged Votes—when they are perfectly innocent of every part of said Charge—if not, let those who republish'd Mr F's remarks, prove them guilty, and shew the World how strictly their Patron related *the whole Truth* concerning said Artifices, double Tickets, and whole Boxes of forged Votes—a Transition might here be made from the *pretended Triumph* wherewith Mr F. affects to ridicule the Protesters, to that *vainglorious Triumph* actually puff'd off at his Embarkation, for which silly Pageantry, ship Guns were borrow'd in Philadelphia, and sent down to Chester—the use there made of them, with other vain Exultations are unworthy repetition.

Mr F. proceeds to censure the Protestors for reciting the Governor's own expressions in Conversation with a Member of the House, and not making use of other words which Mr F. thinks would have been more proper—and on this also he exults immoderately, Let the impartial Reader judge with how much reason, and determine whether a Member of the House in repeating assurances from the Governor, was at Liberty to change his words, and put in others better suited either to his own Inclination, or that of the House:—if not, then all Mr F's. affected



Ridicule is without foundation, and must have been only calculated to amuse, or irritate.—Something further seems attempted in the Query & Insinuations which follow, and the introduction of an Extract from Messrs D. B. & Sons private Letter to Messrs J. & D.,\* but with what Propriety all these are discharg'd upon the Protestors, Let me now examine: The Governor just before his setting out to meet the Assembly of the lower Countys, & at a time when he expected the Assembly of Pensilvania were on the point of adjourning to the usual Season of doing Business, had some conversation with a particular Member, which that Gentleman on finding such Measures likely to be pursued by the House as he concluded they would wave if appriz'd of the Substance of said Conversation, thereupon thought himself in Duty obliged to communicate it to the House, from a View to the Publick Good; the little regard shew to so seasonable and well design'd an Intimation, affected the Protesters in the manner they set forth. This is truly all their Concern in the matter, yet behold! how are they interrogated, censured, and abused! This I believe is the first time Members of Assembly were ever traduced for supposed Faults of a Governor, and I should have thought Mr F. the last Man upon Earth to have done so:—as to Messrs B's, their sincere regard and friendship for the Proprietors & people of this Province in general, and Mr A. in particular, is well known; common charity would therefore lead every humane candid person to conclude they must either have misunderstood the Proprietors concerning Mr A., or inadvertently express'd themselves in said Letter;—and in case such orders or Instructions as Mr F. supposes, were really sent by Mr A. to the Governor; as I have not discours'd his Honour on ye Subject, I can assign no sufficient reason why they were not laid be-

\*From David Barclay & Sons to James & Drinker. Cf. Franklin's *Remarks on a late Protest.*—Ed.

fore the last Assembly in September, or the present immediately after the Speakers Presentment:—If there are any Faults either in Governor, or Assembly, let them fall where they ought, but I conceive nothing can justify Mr. F's. Treatment of the Protesters in this and his next Paragraph when considered as Members of the present Assembly:—perhaps the affected Eminence from whence as the Guard with assum'd Grandeur as a powerful Guardian of the Rights of Pensilvania he would seem to look down, may not be found more proper or decent, than the freedom he takes with the Proprietors and the Protester's Characters.

Their 6<sup>th</sup> Objection against his Appointment, he calls an high Charge, and would insinuate being unfairly laid before the Publick, by a concealment of some part of the Truth which ought to have been told; whereto I answer, a Concise Style is requisite in Protests, a Note however was inserted to explain the Fact alluded to, and was sufficient to direct any person to more Light in the matter than he has thought proper to impart; the use made of it by the Protesters, was only to shew that Mr. F. when formerly in a publick Station in England, had shewn himself a very venturesome and expensive Gentleman, which discourag'd the Protesters from entrusting the invaluable priviledges of the Freemen of Pensilvania into his Hands, and induc'd them *rather* to think of employing some Gentleman residing in England, who might transact the Business as well, and afford to do it much cheaper. Mr. F. has established the Protesters account of his expence, amounting to £5000 but would fain exculpate himself from the Loss of £6000 to the Province, by throwing the Odium on the Assembly of 175—who he says, not only adopted the measure of placing that money in the Stocks, but even passed a Bill directing the subsequent Sums granted by Parliament to be plac'd with the former—whereupon



the Reader has probably absolv'd him from the high Charge of being a venturesome Man.—But I must now discover a part of the Truth, which directly after his formal Harrangue concerning the Truth, *the whole Truth*, and nothing but the Truth, it suited his purpose to conceal, viz: The Bill pass'd as above mentioned by the House *only*, was refus'd by the Governor, consequently never became a Law, but the former directing the Money to be lodg'd in the Bank continued an unrepealed Act of General Assembly notwithstanding which, a Majority of the Representatives in Assembly for the Year 175—who were Mr F's Friends, took upon them to give him directions to act contrary to said Law, and he was *venturesome* enough so to do; I therefore now repeat in the words of the Protest, "That Mr F. has heretofore *ventured* contrary to an Act of Assembly to place the Publick money "in the Stocks, whereby this Province suffered a loss of "£6000," and I say further, that in a Man of his Understanding, who well knew the Assembly had no Authority to dispense with Law, it was a *very venturesome* and unwarrantable act, and appears to many beside the Protesters, a sufficient Reason against entrusting to his *Discretion* the Rights of this Province.

The Remarker proceeds to triumph over and ridicule Mr A, because he joyns with the Protesters, altho' he had formerly been on the Committee who examin'd Mr F's acct. and reported it just, and afterwards propos'd for the Honour and Justice of the House, that the Compensation of £5000 should be made him:—these Instances would on the contrary reflect high Honour on Mr A if notwithstanding his dislike to Mr F. (and as the Remarker says being his Enemy of 7 years standing,) he did not suffer his Resentment to prevail against Justice, but of all others was the very Member that propos'd an handsome recompense to an Agent employ'd by the House, altho' by

himself particularly dislik'd, and cheerfully joyn'd with the rest of the Comittee, in certifying his account of £714 10'' 7' expended in the Service of the Province to be just, when upon examination it was found so:—but all this neither demonstrates good Policy in sending Mr. F. to England, nor removes the Plea that a Resident there, may afford to serve the Province cheaper, and in many respects transact Publick Business to better advantage.

I shall conclude with pointing out an Anecdote on Mr. F's own Authority concerning the *judicious* Traffick in Stocks at the risque of this Province:—The Protesters have said, that by his *venturing* contrary to an Act of Assembly to place the Publick money in the Stocks, £6000. was lost to the Province.—

But it's really *pleasant* to observe, how Mr. F. in his great zeal for once to discover *the whole Truth*, has not only attempted to shift this Game from himself upon the Assembly of 175 , but loaded a succeeding Assembly with a further Loss of £6000. by declaring 1<sup>st</sup> “that the Loss “arose not from *placing* the Money in the Stocks, but “from the imprudent and unnecessary Drawing it out at “the very time when they were lowest, on some slight un- “certain Rumours of a Peace concluded.”

& 2<sup>d</sup> “That if the Assembly had let it remain another “Year, instead of losing they would have gained *Six “Thousand Pounds.*” Thus Mr. F. by ingeniously accumulating *neglected Gain* with *actual Loss*, exaggerates what the Protesters modestly computed only £6000. to the prodigious Sum of £12,000. and fixes *that whole Loss* upon his good friends of the Assembly, at same time charging them with the Pursuit of *imprudent unnecessary Measures*, founded on *slight uncertain Rumours*. What may his Enemies expect, if he continues to use his Friends thus!

FINIS.

# RESOLUTIONS

ADOPTED BY THE

ASSEMBLY OF PENNSYLVANIA

RELATIVE TO THE

STAMP ACT.

DRAFTED BY

JOHN DICKINSON.

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SEPTEMBER 21, 1765.







## NOTE.

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On September 20, 1765, the Pennsylvania Assembly took action on the Stamp Act, reported in their *Votes and Proceedings* (v, 425), in these words:

The House taking into Consideration the Condition to which the Colonies are, and must be, reduced, in case the Stamp Act, with other late Acts of Parliament for restricting their Trade, should be carried into Execution, and continued upon them; and being of Opinion, that it is incumbent on this Assembly, before they separate, to leave some Memorial on their Minutes, by which their Successors may be acquainted with the Sentiments they entertain of those unconstitutional Impositions;

Ordered, That Mr. Strettell, Mr. Willing, Mr. Knight, Mr. Pearson, Mr. Wright, Mr. Allen and Mr. Ross be a Committee to prepare and bring in a Draught of such Resolves as may become the House to draw up, and enter in their Journals, upon this Occasion. . .

The Committee appointed to bring in Resolves upon the Stamp Act, and other late Acts of Parliament concerning the Colonies, reported they had essayed a Draught for that Purpose, which they presented to the Chair, where the same being read, and unanimously agreed to by the House, were ordered to be entered in the Journals, and follow in these words, viz. . .

Although Dickinson was not a member of this Committee, he prepared a draft, the similarity of which with the resolutions as adopted indicates that he was practically the scribe of the committee. This draft is printed from the original preserved among his own papers. The text as adopted is from the *Votes and Proceedings*, v, 426.

EDITOR.





## STAMP ACT RESOLUTIONS.

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### DICKINSON'S DRAFT.

Resolved, 1st. That the Constitution of Government in this Province, is founded on the natural Rights of Mankind, and the noble Principles of *English Liberty*, and is therefore perfectly free.

Resolved, 2ly. That in the opinion of this House, it is inseparably essential to a free Constitution of Government, that all internal Taxes

### RESOLUTIONS AS ADOPTED.

The House taking into Consideration, that an Act of Parliament has lately passed in England, for imposing certain Stamp Duties on his Majesty's subjects in America, whereby they conceive some of their most essential and valuable Rights, as British Subjects, to be deeply affected, think it a Duty they owe to themselves and their Posterity, to come to the following Resolutions, viz.

Resolved, N. C. D. 1. That the Assemblies of this Province have, from Time to Time, whenever requisitions have been made by his Majesty, for carrying on military Operations, for the Defence of America, most cheerfully and liberally contributed their full Proportion of Men and Money for those services.

Resolved, N. C. D. 2.

be levied upon the People *with their consent.*

Resolved, 3ly. That the sole Power and authority to levy Taxes upon the Inhabitants of this Province, is vested in the Crown or its Representative, and in the Assembly for the Time being, elected according to law.

Resolved, 4ly. That the People of this Province have constantly from its first settlement exercised and enjoyed, and *ought* to the latest Posterity to exercise & enjoy, this exclusive Right of levying Taxes upon themselves.

Resolved, 5ly. That the levying Taxes upon the Inhabitants of this Province *in any other Manner*, being manifestly subversive of public Liberty, must of necessary Consequence be utterly destructive of public Happiness.

Resolved, 6ly. That a *Trial by Jury* on every accusation in a Court of Justice, is the inherent and estimable Privilege of every Freeman of this Province,

That whenever his Majesty's Service shall, for the future, require the Aids of the Inhabitants of this Province, and they shall be called upon for that Purpose in a constitutional Way, it will be their indispensable Duty most chearfully and liberally to grant to his Majesty their Proportion of Men and Money for the Defence, Security, and other Public Services of the British American Colonies.

Resolved, N. C. D. 3. That the Inhabitants of this Province are entitled to all the Liberties, Rights and Privileges of his Majesty's Subjects in Great Britain, or elsewhere, and that the Constitution of Government in this Province is founded on the Natural Rights of Mankind, and the noble Principles of English Liberty, and therefore is, or ought to be, perfectly free.

Resolved, N. C. D. 4. That it is the inherent birth-right and indubitable Privilege, of every British Subject, to be taxed only by his Consent, or that of his legal



which cannot be violated without breaking down the sacred Bulwark erected by the Virtue and Wisdom of our ancestors, for the Protection of Life, and of every Blessing that renders it valuable.

Resolved, 7ly. That it is the opinion of this House that the Restraints imposed by several late acts of Parliament on the Trade of this Province, at a Time when the People labour under an enormous Load of Debt, must of necessity be attended with the most fatal Consequences.

Resolved, 8ly. That it is the opinion of this House, that the Prosperity of this Province depends on the Preservation of its Rights, and the Continuance of an affectionate and advantageous Intercourse with *Great Britain* which must prove equally beneficial to that Kingdom.

Resolved, 9ly. That therefore it is the indispensable Duty of this House to the best of Sovereigns, whose truly paternal Tenderness

Representatives, in Conjunction with His Majesty, or his Substitutes.

Resolved, N. C. D. 5. That the only legal Representatives of the Inhabitants of this Province are the persons they annually elect to serve as Members of the Assembly.

Resolved therefore, N. C. D. 6. That the Taxation of the People of this Province by any other Persons whatsoever than such their Representatives in Assembly, is unconstitutional, and is subversive to their most valuable Rights.

Resolved, N. C. D. 7. That the laying Taxes upon the Inhabitants of this Province in any other Manner, being manifestly subversive of public Liberty, must of necessary Consequence, be utterly destructive of public Happiness.

Resolved, N. C. D. 8. That the vesting an Authority in the Courts of Admiralty to decide in Suits relating to the Stamp Duty, and other Matters, foreign to their proper Jurisdiction, is

ever interests itself in the Welfare of his subjects, to the Mother Country and to this Province, with all Loyalty, Respect & Zeal, by every prudent Measure firmly to endeavor to procure a Repeal of the Stamp Act, & of the late Acts for the Restriction of *American* Commerce.

highly dangerous to the Liberties of his Majesty's American Subjects, contrary to Magna Charta, the great Charter and Fountain of English Liberty, and destructive of one of their most darling and acknowledged Rights, that of Trials by Juries.

Resolved, N. C. D. 9. That it is the Opinion of this House, that the Restraints imposed by several late Acts of Parliament on the Trade of this Province, at a Time when the People labour under an enormous Load of Debt, must of Necessity be attended with the most fatal Consequences, not only to this Province, but to the Trade of our Mother Country.

Resolved, N. C. D. 10. That this House think it their duty thus firmly to assert, with Modesty and Decency, their inherent Rights, that their Posterity may learn and know, that it was not with their Consent and Acquiescence, that any Taxes should be levied on them by any persons but

their own Representatives ;  
and are desirous that these  
their Resolves should Re-  
main on their Minutes, as a  
Testimony of their Zeal and  
ardent Desire of the present  
House of Assembly to pre-  
serve their inestimable  
Rights, which, as English-  
men, they have possessed  
ever since this Province was  
settled, and to transmit them  
to their latest Posterity.







THE  
DECLARATION OF RIGHTS

ADOPTED

BY THE

STAMP ACT CONGRESS.

DRAFTED BY  
JOHN DICKINSON.

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OCTOBER 19, 1765.





## NOTE.

The action of Pennsylvania in regard to the Stamp Act Congress is best told in the *Votes and Proceedings of the House of Representatives of Pennsylvania*, (V, 419-421), where it is recorded :

Mr. Speaker laid before the House a Letter received in their Recess from the Honourable Samuel White, Esq ; Speaker of the Massachusetts Assembly . . .

The House resumed the Consideration of the Letter from the Speaker of the Massachusetts Assembly, which was again read by Order ; and after some Time spent in Debate thereon, the same was issued by the following Questions, viz.:

Whether it is the opinion of this House that, in Duty to their Constituents, they ought to remonstrate to the Crown against the Stamp Act, and other late Acts of Parliament, by which heavy Burdens have been laid on the Colonies? Resolved in the Affirmative, N. C. D.

Whether this House will appoint a Committee of three, or more, of their Members, to attend the Congress, proposed in the foregoing Letter to be held at New York on the first of next Month, for the Purposes mentioned in the said Letter? Resolved in the Affirmative.

Ordered, That Mr. Dickinson, Mr. Bryan, Mr. Morton, Mr. Knight, Mr. Sanders, Mr. M'Connaughy, Mr. Allen and Mr. Taylor be a Committee to prepare and bring in a Draught of Instructions for the Deputies to be sent from this House to the said Congress . . .

The House resumed the Consideration of their Resolution of Yesterday, to appoint a Committee of three, or more, of their Members to attend the general Congress of Committees from the several Assemblies on this Continent, to be held at New York on the first of October next, and, after some time spent therein,

Resolved, That Mr. Speaker, Mr. Dickinson, Mr. Bryan, and Mr. Morton, be, and they are, hereby nominated and appointed to attend that Service.

The Committee appointed to prepare the Instructions for the Delegates from this House to the proposed Congress at New York, on the first of next Month, reported they had made an Essay for that Purpose, which they presented to the Chair, and the same being read, and agreed to by the House, follows in these Words, viz.

*Instructions to the Committee appointed to meet the Committee of the other British Colonies at New York*

It is directed by the House that you shall with the Committees that have been or shall be appointed by the several British Colonies on this Continent to meet at New York consult together on the present Circumstances of the Colonies and the Inconveniences they are and must be reduced to by the late Acts of Parliament for levying Duties and Taxes upon them, and join with the said Committees in loyal and dutiful Addresses to the King and the two Houses of Parliament, humbly presenting the condition of these Colonies and imploring Relief by the Repeal of the said Acts. And you are strictly required to take Care that such Addresses in which you join are drawn up in the most decent and respectful Terms as to avoid every Expression that can give the least occasion of Offence to his Majesty, or to either House of Parliament.

You are also directed to make a Report of your Proceedings herein to the succeeding Assembly.

The Speaker, Fox, did not go to the Congress but the remaining three attended, and though Dickinson left before the Congress had completed its work, he was most prominent in its work drafting for it the "Declaration of Rights" and the "Petition to the King" (see post). In the *Journal of the First Congress* (New York, 1845) the former it is true was claimed to have been drawn by John Cruger; but no authority is given, while a MS. in the Dickinson Papers distinctly states that "he [Dickinson] drew the resolves," and his rough draft was included in his *Political Writings*, I. 93. This draft, and the Declaration as finally adopted, are printed in parallel columns.

This "Declaration of Rights," or rather what was "said to be a copy" was first made public in the *Providence Gazette* in March, 1766 and from that was quickly republished in all the papers in the Colonies. It was first given with pseudo-authority in the *Authentic Account of the Proceedings of the Congress held at New York*, [London,] MDCCCLXVI.

EDITOR.





## RESOLUTIONS OF STAMP ACT CONGRESS.

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### DICKINSON'S DRAFT.

We, the Deputies from the colonies of Massachusetts Bay, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, the lower Counties on Delaware, Maryland, and South Carolina, in general congress assembled, Declare,

I. That his majesty's subjects in these colonies, owe

### RESOLUTIONS AS ADOPTED.

The members of this congress, sincerely devoted, with the warmest sentiments of affection and duty to his majesty's person and government, inviolably attached to the present happy establishment of the protestant succession, and with minds deeply impressed by a sense of the present and impending misfortunes of the British colonies on this continent, having considered as maturely as time would permit, the circumstances of said colonies, esteem it our indispensable duty to make the following declarations, of our humble opinions, respecting the most essential rights and liberties of the colonists, and of the grievances under which they labor, by reason of several late acts of parliament.

I. Resolved, That his Majesty's Subjects in these col-

the same allegiance to the crown of *Great Britain*, that is due from his subjects born within the realm.

2. That all acts of parliament, not inconsistent with the principles of freedom, are obligatory on the colonists.

3. That his Majesty's liege subjects in these colonies, are as free as his subjects in *Great Britain*.

4. That it is inseparably essential to the freedom of a people, that no taxes be laid upon them, but with their own consent given personally, or by their representatives.

5. That the people of these colonies are not, and from local circumstances cannot be represented in the house of commons in *Great Britain*.

6. That the only representatives of the people of these colonies, are the persons chosen therein by themselves for that purpose.

7. That no taxes can be constitutionally imposed on the people of these colonies, but by their grants made in

onies owe the same Allegiance to the Crown of Great Britain, that is owing from his Subjects born within the Realm, and all due Subordination to that august Body the Parliament of Great Britain.

II. That his Majesty's liege Subjects in these Colonies, are intitled to all the inherent Rights and Liberties of his natural born subjects within the Kingdom of Great Britain.

III. That it is inseparably essential to the Freedom of a People, and the undoubted Right of Englishmen, that no Tax be imposed upon them, but with their own Consent, given personally, or by their Representatives.

IV. That the People of these Colonies are not, and from their local Circumstances, cannot be represented in the House of Commons in Great Britain.

V. That the only Representatives of the People of these Colonies, are the Persons chosen therein by themselves; and that no Taxes ever have been, or can be,



person or by their representatives.

8. That the power of granting supplies to the crown in *Great Britain* belonging solely to the commons, and consequently all such grants being only *gifts* of the people to the crown, it therefore involves an inconsistency with the principle and spirit of the *British* constitution, and with reason, for the commons of *Great Britain* to undertake to give to his majesty, according to the terms of the late act of parliament, entitled, "An act for granting certain duties in the *British* colonies and plantations in America," &c., the property of the colonists.

9. That trial by jury is the inherent and invaluable right of every freeman in these colonies.

10. That the late act of parliament passed in the fifth year of his majesty's reign, entitled, "An act for granting and applying certain *stamp* duties and other duties, in the *British* colonies and plantations in

constitutionally imposed on them but by their respective Legislatures.

VI. That all Supplies to the Crown being free Gifts of the People, it is unreasonable, and inconsistent with the Principles and Spirit of the British Constitution, for the People of Great Britain to grant to his Majesty the Property of the Colonies.

VII. That trials by jury are the inherent and invaluable right of every British Subject in these Colonies.

VIII. That the late Act of Parliament, intitled, "An Act for granting certain Stamp Duties, and other Duties, in the British Colonies and Plantations in America," &c., by imposing Taxes on the Inhabitants of these Colonies, and the said Act, and several other Acts, by extending the Jurisdiction of the Courts of Admiralty beyond its ancient Limits, have a Tendency to subvert the Rights and Liberties of the Colonists.

IX. That the Duties imposed by several Acts of Parliament, from the pecu-

America," and by imposing taxes on the inhabitants of these colonies, and by extending the jurisdiction of the courts of admiralty, is subversive of their most sacred rights and liberties.

11. That the duties imposed by the said first mentioned act, will be, from the peculiar circumstances of these colonies, extremely grievous and burthensome.

12. That the restrictions imposed by several late acts of parliament on the trade of these colonies, must of necessity be attended by consequences very detrimental to the interests of *Great Britain and America*.

13. That the prosperity of these colonies depends on the reservation of their rights and liberties, and an intercourse with *Great Britain* mutually affectionate and advantageous.

14. That it is the indispensable duty of the colonies to the best of sovereigns, to the mother country, and to themselves, to endeavour by legal and dutiful addresses to his majesty, and both

liar Circumstances of these Colonies, will be extremely burthensome and grievous, and, from the Scarcity of Specie, the Payment of them absolutely impracticable.

X. That the Profits of the Trade of these Colonies, ultimately center in Great Britain, to pay for the Manufactures which they are obliged to take from thence, they eventually contribute very largely to all Supplies granted there to the Crown.

XI. That the Restrictions imposed by several late Acts of Parliament, on the Trade of these Colonies, will render them unable to purchase the Manufactures of Great Britain.

XII. That the Increase, Prosperity and Happiness of these Colonies depend on the full and free Enjoyment of their Rights and Liberties, and an Intercourse with Great Britain, mutually affectionate and advantageous.

XIII. That it is the Right of the British Subjects in these Colonies, to petition the King, or either House of Parliament.



houses of parliament, to procure the repeal of the "act for granting and applying certain stamp duties," of all clauses whereby the jurisdiction of the admiralty is extended as aforesaid, and of the other late acts for the restriction of American commerce.

15. That it is the right of the British subjects on this continent to petition the king, and lords and commons in parliament assembled, whenever they judge their liberties and interests to be so far affected, as to render such applications necessary.

Lastly. That it is the indispensable Duty of these Colonies to the best of Sovereigns, to the Mother-country and themselves, to endeavor, by a loyal and dutiful Address to his Majesty and humble Applications to both Houses of Parliament, to procure the Repeal of the Act for granting certain Stamp Duties, of all Clauses of any other Act of Parliament, whereby the Jurisdiction of the Admiralty is extended, as aforesaid, and of other Acts for the Restriction of American Commerce.



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**A PETITION**  
**TO THE**  
**KING**  
**FROM THE**  
**STAMP ACT CONGRESS**

**DRAFTED BY**  
**JOHN DICKINSON.**

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**OCTOBER 19, 1765.**







## NOTE.

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On October 19, the Stamp Act Congress "Upon motion, voted, That Robert R. Livingston, William Samuel Johnson, and William Murdock, Esqs, be a committee to prepare an address to his majesty and lay the same before the congress on Monday next." On that day a draft was reported, and "after sundry amendments, the same was approved by the congress, and ordered to be engrossed." According to the report of his fellow members (*Votes and Proceedings*, v, 437) "before the Addresses were finished, Mr. Dickinson was called Home on urgent Business," yet in spite of that and his not being on the Committee, he seems to have drafted this Petition to the King. Among the Dickinson MSS. is a printed copy of this petition, clipped from the *Pennsylvania Gazette*, with a MS. Note, which states that Dickinson "drew the resolves, and the petition to the Crown, which was altered, particularly in the title and middle of it, after he left the congress." And the petition so printed is corrected in Dickinson's handwriting, presumably to make it conform to his draft, and indicate the alterations made in it by the congress. As printed here, the text follows Dickinson's changes, the amendments of the congress being given in the foot notes.

EDITOR.





*To the KING'S Most Excellent Majesty, The Petition of the Freeholders, and other Inhabitants of the Massachusetts Bay, Rhode Island, and Providence Plantations, New Jersey, Pennsylvania, the Government of the Counties New Castle, Kent and Sussex, upon Delaware, Province of Maryland, &c.*

Most Humbly Sheweth,

That the Inhabitants of these Colonies, unanimously devoted with the warmest Sentiments of Duty and Affection to your Majesty's sacred Person and Government, inviolably attached to the present happy Establishment of the Protestant Succession in your illustrious House, and deeply sensible of your Royal Attention to their Prosperity and Happiness, humbly beg Leave to approach the Throne, and represent\* to your Majesty, that these Colonies were originally planted by Subjects of the British Crown, who, animated with the Spirit of Liberty, encouraged by your Majesty's Royal Predecessors, and confiding in the public Faith for the Enjoyment of all the Rights and Liberties essential to Freedom, emigrated from their native Country to this Continent, and by their successful Perseverance in the Midst of innumerable Dangers and Difficulties,† with a Profusion of their Blood and Treasure, have happily added these vast and valuable Dominions to the Empire of Great Britain.

That for the Enjoyment of these Rights and Liberties, several Governments were early formed in the said Colonies, with full power of legislation, agreeable to the Principles of the English Constitution.

\* Altered by the Congress to read "Throne, by representing."—*Ed.*

† The word "together" inserted by the Congress.—*Ed.*



That under those Governments these Rights and Liberties,\* thus vested in their Ancestors, and transmitted to their Posterity, have been exercised and enjoyed, and by the inestimable Blessings thereof, under the Favour of Almighty God, the inhospitable Deserts of America have been converted into flourishing Countries; Science, Humanity, and the Knowledge of divine Truths, diffused through remote Regions of Ignorance, Infidelity and Barbarism; the Number of British Subjects wonderfully increased, and the Wealth and Power of Great-Britain proportionably augmented.

That by Means of these Settlements, and the unparalleled Success of your Majesty's Arms, a foundation is now laid for rendering the British Empire the most extensive and powerful of any recorded in History; our Connection with this Empire, we esteem our greatest Happiness and Security, and humbly conceive it may now be so established by your Royal Wisdom, as to endure to the latest Period of Time. This, with most humble Submission to your Majesty, we apprehend will be most effectually accomplished, by fixing the Pillars thereof on Liberty and Justice, and securing the inherent Rights and Liberties of your Subjects here, upon the principles of the English Constitution. To this Constitution these two Principles are essential, the Right of your faithful Subjects freely to grant to your Majesty such Aids as are required for the Support of your Government over them, and other public Exigencies, and Trials by their Peers. By the one, they are secured from unreasonable Impositions, and by the other, from arbitrary decisions of the executive Power. The Continuation of these Liberties to the Inhabitants of America, we ardently implore, as absolutely necessary to unite the several Parts of your widely extended Dominions

\* "Rights and" struck out by the Congress.—*Ed.*



in that Harmony, so essential to the Preservation and Happiness of the whole. Protected in these Liberties, the Emoluments Great Britain receives from us, however great at present, are inconsiderable, compared with those she has the fairest Prospect of acquiring. By this Protection, she will forever secure to herself the Advantage of conveying to all Europe the Merchandizes which America furnishes, and of supplying thro' the same Channel whatever is wanted from thence. Here opens a boundless Source of Wealth, and Naval Strength; yet these immense Advantages, by the Abridgment of those invaluable Rights and Liberties, by which our Growth has been nourished, are in Danger of being forever lost, and our subordinate Legislatures in Effect rendered useless, by the late Acts of Parliament, imposing duties and taxes on these Colonies, and extending the jurisdiction of the Courts of Admiralty here, beyond its ancient Limits; Statutes by which your Majesty's Commons in Britain undertake absolutely to dispose of the Property of their Fellow Subjects in America, without their Consent, and for the Enforcing whereof, they are subjected to the Determination of a single Judge, in a Court unrestrained by the wise Rules of the Common Law, the Birthright of Englishmen, and the Safeguard of their Persons and Properties.

The invaluable Rights of taxing ourselves, and of Trial by our Peers, of which we implore your Majesty's Protection, are not, we most humbly conceive, unconstitutional, but confirmed by the great Charter of English Liberty. On the first of these Rights the Honourable the House of Commons found their Practice of originating Money Bills, a Right enjoyed by the Kingdom of Ireland, by the Clergy of England, until relinquished by themselves; a Right in fine, which all other your Majesty's Subjects, both within and without the Realm, have hitherto enjoyed.

With Hearts therefore impressed with the most indelible Characters of Gratitude to your Majesty, and to the Memory of the Kings of your illustrious House, whose Reigns have been signally distinguished by their auspicious Influence on the Prosperity of the British Dominions, and convinced by the most affecting proofs of your Majesty's Parental Love to all your People, however distant, and your incessant\* and benevolent Desires to promote their Happiness; we most humbly beseech your Majesty, that you will be graciously pleased to take into your Royal Consideration, the Distresses of your faithful Subjects, on this Continent,† and to afford them such Relief as, in your Royal Wisdom, their unhappy Circumstances shall be judged to require.

\* Changed to "unceasing" by the Congress.—*Ed.*

† The Congress here inserted: "and lay the same before your Majesty's Parliament."—*Ed.*



AN ADDRESS

TO

“FRIENDS AND COUNTRYMEN”

ON THE

STAMP ACT.

BY

JOHN DICKINSON.

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NOVEMBER, 1765.







## NOTE.

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Original issued as a broadside, beginning :

Friends and Countrymen, / The Critical time is now come, when  
you are reduced to the necessity of forming / a Resolution . . . / Fo.  
pp. 2.

The exact date of publication is in doubt. Mr. Hildeburn (*Issues of the Pennsylvania Press*, II, 35) relying on Du Simitiere, gives it Dec. 5, and concludes it to be from the press of Bradford. But a bill of Franklin and Hall to Dickinson, contains the item: "1765. Decr. 10. To printing 200 Copies of an Address to the Inhabitants of Pennsylvania . . . £3.5." which, unless we refer the charge to an absolutely unknown piece, must be this broadside. As it was reprinted in the New York Gazette on Dec. 5, it must clearly have been issued in November. These two bits of evidence are confirmed by the following statement from the *Pennsylvania Gazette* (Feb. 6, 1766), the printers of which (presuming them to have been the printers of the broadside as well) would have the most accurate knowledge as to the authorship and date of publication.

A number of the SONS OF LIBERTY, in particular those of a neighboring Province, having expressed their Desire of knowing who is the Author of the Piece published and dispersed in this City in November last, and re-published in the New York Gazette of the 5th of December, in the New London Gazette of the 20th of the same Month, and so warmly recommended in the Connecticut Resolves, which are inserted in our Paper of the 23d of January; in Compliance with their Desire, we inform them, that it is said, and believed, to be wrote by J—N D—CK—S—N, Esq., of this city.

The "Connecticut Resolves" referred to in this extract, were as follows:

Resolutions of a great number of the respectable Inhabitants of the County of Windham and Parts adjacent, held at Pomfret, in the said County, on the 25th Day of December, 1765. . . . . We recommend a

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Piece wrote by a Master of Reason, and a true Friend to Liberty, in Pennsylvania, and inserted in the New London Gazette of the 20th instant.

EDITOR.



## ADDRESS ON STAMP ACT.

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*Friends and Countrymen.*

The critical Time has now come, when you are reduced to the Necessity of forming a Resolution, upon a Point of the most alarming Importance that can engage the Attention of Men. Your Conduct *at this Period* must decide the *future* Fortunes of yourselves, and of your Posterity—must decide, whether *Pennsylvanians*, from henceforward, shall be Freemen or Slaves. So vast is the Consequence, so extensive is the Influence of the Measure you shall *at present* pursue. May God grant that every one of you may consider your Situation with a Seriousness and Sensibility becoming the solemn Occasion; and that you may receive this Address with the same candid and tender Affection for the public Good by which it is dictated.

We have seen the Day on which an Act of Parliament, imposing Stamp Duties on the *British* Colonies in *America*, was appointed to take Effect; and we have seen the Inhabitants of these Colonies, with an unexampled Unanimity, compelling the Stamp-Officers throughout the Provinces to resign their Employments. The virtuous Indignation with which they have thus acted, was inspired by the generous Love of Liberty, and guided by a perfect sense of Loyalty to the best of Kings, and of duty to the Mother Country. The Resignation of the Officers was judged the most effectual and the most decent Method of preventing the Execution of a Statute, that strikes the Axe into the Root of the Tree, and lays the hitherto flourishing Branches of *American* Freedom, with all its precious Fruits, low in the Dust.—



That this is the fatal Tendency of that Statute, appears from Propositions so evident, that he who runs may read and understand. To mention them is to convince. Men cannot be happy, without Freedom; nor free, without Security of Property; nor so secure, unless the sole Power to dispose of it be lodged in themselves; *therefore* no People can be *free*, but where Taxes are imposed on them *with their own Consent*, given personally, or by their Representatives. If then the Colonies are equally intitled to Happiness with the Inhabitants of *Great-Britain*, and Freedom is essential to Happiness, they are equally intitled to Freedom. If they are equally intitled to Freedom, and an exclusive Right of Taxation is essential to Freedom, they are equally intitled to such Taxation.

What further Steps you can now take, without Injury to this sacred Right, demands your maturest Deliberation.

If you comply with the Act, by using Stamped Papers, you fix, you rivet perpetual Chains upon your unhappy Country. You unnecessarily, voluntarily establish the detestable Precedent, which those who have forged your Fetters ardently wish for, to varnish the future Exercise of this new claimed Authority. You may judge of the Use that will be made of it, by the Eagerness with which the Pack of Ministerial Tools have hunted for Precedents to palliate the Horrors of this Attack upon *American* Freedom. After all their infamous Labour, they could find nothing that even *their* unlimited Audacity could dare to call *Precedents* in this Case, but the Statute for establishing a Post-Office in *America*, and the Laws for regulating the Force here, during the late War.

These Instances were greedily seized upon, and the Press groaned with Pamphlets to prove, that *they* would justify the Taxation of *America* by *Great-Britain*.—But no sooner were these boasted Examples produced to public View, and examined, than the Absurdity of applying them



to the present Occasion, appeared so glaring, that they became more the Subject of Ridicule, than of Argument.—

Your Compliance with this Act, will save future Ministers the Trouble of reasoning on this Head, and your Tameness will free them from any Kind of Moderation, when they shall hereafter meditate any other Taxation upon you.

They will have a Precedent furnished by yourselves, and a Demonstration that the Spirit of *Americans*, after great Clamour and Bluster, is *a most submissive servile Spirit*—Ministers will rejoice in the Discovery, and as no Measure can be more popular at Home, than to lessen the Burthens of the People *there*, by laying Part of the Weight on you, they will of Course be tempted by that Motive, and emboldened by your Conduct, to make you "*Hewers of Wood, and Drawers of Water.*"

THE Stamp Act, therefore, is to be regarded only as an EXPERIMENT OF YOUR DISPOSITION. If you quietly bend your Necks to that Yoke, you prove yourselves ready to receive any Bondage to which your *Lords* and *Masters* shall please to subject you. Some Persons perhaps may fondly hope, it will be as easy to obtain a Repeal of the Stamp Act after it is put in Execution, as if the Execution of it is avoided. But be not deceived. The late Ministry publicly declared, "that it was *intended* to establish the Power of *Great-Britain* to tax the Colonies." Can we imagine then, that when so great a Point is carried, and *we have tamely submitted*, that any other Ministry will venture to propose, or that the Parliament will consent to pass, an Act to renounce this Advantage? No! Power is of a tenacious Nature: What it seizes it will retain.

ROUSE yourselves therefore, my dear Countrymen. Think, oh! think of the endless Miseries you *must* entail upon yourselves, and your Country, by touching the pestilential Cargoes that have been sent to you. Destruction

lurks within them.—To receive them is Death—is worse than Death—it is SLAVERY!—If you do not, and I trust in Heaven you will not use the Stamped Papers, it will be necessary to consider how you are to act. Some Persons are of Opinion, that it is proper to stop all Business that requires written Instruments, subject to Duties.

AGAINST this Proposal there are many weighty Objections. In the first Place, it will be nearly the same Acknowledgment of the Validity of the Stamp Act, and of its legal Obligation upon you, as if you use the Papers. It will also be extremely injurious to Individuals, and I apprehend the Inconveniences arising from the Stoppage of Business will be so great, that many People, whose immediate Interest may have too much Influence on their Judgment, may be induced to believe, that this Obstruction will be more pernicious than the Execution of the Stamp Act; and thus I am afraid, that a mistaken Zeal to avoid the Execution, may really produce it. How long can this Stoppage be endured? Or how long must it be continued? Until we can obtain Relief, by a Repeal of the Law, perhaps some may say. If this *should* happen, you cannot expect to hear of the Repeal in less than three or four Months. But if you act in this Manner, in my Opinion, you will never hear of it. For as soon as the News of your stopping all Business arrives in *Great-Britain*, the Parliament, Ministry and People will be convinced of two Things; first, that you are intimidated to the utmost Degree; and secondly, that your Method of eluding the Act will at length compel you to comply with it.—They will therefore give themselves no further Trouble about you, unless it be to send over a few Regiments, to quicken the Execution.

FOR these Reasons, and many more, it appears to me the wisest and the safest Course for you to proceed in all Business as usual, without taking the least Notice of the



Stamp Act. If you behave in this spirited Manner, you may be assured, that every Colony on the Continent will follow the Example of a Province so justly celebrated for its Liberty. Your Conduct will convince *Great-Britain*, that the Stamp Act will never be carried into Execution, but by Force of Arms; and this one Moment's Reflection must demonstrate, that she will never attempt.

As to any Penalties that may be incurred, it will be vain to think of extorting them from the whole Continent, or from a whole Province. It may be objected, perhaps, that our Ships will be liable to Seizure, if their Clearances be not upon Stamped Papers; but I believe no Lawyer will say, that this would be a legal Reason for such Seizures. However, we need be under no Apprehension of this Kind; for proceeding in that Way, would be in Fact a Declaration of War against the Colonies, that at this Time would by no Means suit the Mother Country.—

THUS, my Friends and Countrymen, have I plainly laid before you my sentiments on your present affecting Situation; and may Divine Providence inspire you with Wisdom to act in such a Manner, as will most advance that Happiness I ardently wish you may enjoy.



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THE  
LATE REGULATIONS  
RESPECTING THE  
BRITISH COLONIES  
CONSIDERED.

BY  
JOHN DICKINSON.

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DECEMBER 7, 1765.





## NOTE.

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The Pennsylvania Journal of December 5, 1765, announced that :

Next Saturday will be published, and to be sold by  
W. BRADFORD, a piece intituled

THE  
LATE REGULATIONS  
RESPECTING THE  
BRITISH COLONIES  
ON THE CONTINENT OF  
AMERICA  
CONSIDERED,

In a letter from a gentleman in PHILADELPHIA to his  
friend in LONDON.

The pamphlet was issued with the title of :

The / Late Regulations / respecting the / British Colonies / on the  
continent of / America / considered, / In a Letter from a Gentleman in  
Philadelphia / to his Friend in London / *Prosunt minus recte excogita ;  
cum alios incitent saltem / ad veritatis investigationem.* Fulb. a.  
Bartol. / Philadelphia : / Printed and Sold by William Bradford, at the  
Corner of / Market and Front Streets. M.DCC.LXV. 8vo, pp. 38.

Two English editions, with some slight corrections, were also printed :

The / Late Regulations, / respecting the / British Colonies / on the  
continent of / America / considered : / In a Letter from a Gentleman  
in Philadel- / phia to his Friend in London. / . . . / . . . / Philadel-  
phia Printed : / London Re-printed, for J. Almon, opposite Bur- / ling-  
ton-House, in Piccadilly. M.DCC.LXV. 8vo, pp. 62, (1).

This edition was clearly not issued till February, 1766, (when the pam-  
phlet was first advertised and noticed in the English press,) for the date  
of printing in Philadelphia, with the time necessary for transmission  
and reprinting, precludes the date given on the title from being correct.  
The title of the second English edition was :

The late / Regulations / respecting the / British Colonies / on the  
continent of / America / considered, / In a Letter from a Gentleman in  
(209)

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Philadelphia / to his Friend in London. / . . . / . . . / Philadelphia  
Printed : / London ; Re-printed for J. Almon, opposite / Burlington  
House, Piccadilly. / MDCCLXVI. 8vo, pp. (4), 39.

The pamphlet was briefly noticed in the *Monthly Review*, xxxiv, 238 ; and an "Extract from a Letter from a Gentleman in London, to his Friend in Philadelphia," dated Feb. 8, 1766, printed in the *Pennsylvania Gazette* for May 22, 1766, states :

I have the Pleasure of your last with the Pamphlet, entitled, "The Late Regulations, respecting the British Colonies on the Continent of America, Considered." It is an excellent Performance, and its Author merits the Thanks of his Country,—mine he has most unfeignedly.—Its arrival, before the final Decision of the Cause, will, I flatter myself, have a happy Effect. It has been reprinted here, and the Bookseller advertised in the Papers, that it was written by Mr. Dickinson.—Though the Town has been, in a Manner, glutted with Pamphlets on American Affairs, yet its Sale has been very rapid. It is highly esteemed ; has gained the Author much Reputation, and most surely does him great Honour.

The present reprint is from the first edition, which is absolutely followed, except that the short "Errata" at the end is omitted, and the corrections embodied in the text. The numerals inserted in brackets indicate the paging of the original. The changes made by the author, in the text as printed in the *Political Writings of John Dickinson* (I, 47) are shown in foot notes.

EDITOR.



**T H E**  
**LATE REGULATIONS**  
**RESPECTING THE**  
**BRITISH COLONIES**  
**ON THE CONTINENT OF**  
**A M E R I C A**  
**C O N S I D E R E D,**

In a Letter from a Gentleman in PHILADELPHIA  
to his Friend in L O N D O N.

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*Projunt minus recte excogitata; cum alios incitent saltem  
ad veritatis investigationem. FULB. A BARTOL.*

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**P H I L A D E L P H I A:**

Printed and Sold by WILLIAM BRADFORD, at the Corner of  
Market and Front-Streets. M.DCC.LXV.





## THE LATE REGULATIONS

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Sir,

When I last wrote to you and said, "that the late measures respecting *America*, would not only be extremely injurious to the *Colonies*, but also to *Great-Britain*," I little thought I was entering into an engagement, which would oblige me to exceed the usual limits of a letter : but since you desire to have at large the reasons in support of this opinion, and I always think it my duty to comply with your requests, I will endeavour in the clearest manner I can, to lay my sentiments before you.

The *American* continental colonies are inhabited by persons of small fortunes, who *are* so closely employed in subduing a wild country, for their subsistence, and who *would* labour under such difficulties in contending with old and populous countries, which must exceed them in workmanship and cheapness, that they have not [4] time nor any temptation to apply themselves to manufactures.

Hence arises the \*importance of the colonies to *Great-*

\*It has been said in the House of Commons, when complaints have been made of the decay of trade to any part of *Europe*, "That such things were not worth regard, as *Great-Britain* was possest of colonies that could consume more of her manufactures than she was able to supply them with."

"As the case now stands, we shall shew that the *plantations* are a spring of *wealth* to this nation, that they *work* for us, that their treasure *centers all here*, and that the laws have tied them fast enough to us ; so that it must be through our own fault and mismanagement, if they become independent of *England*."

DAVENANT on the Plantation trade.

"It is better that the islands should be supplied from the Northern Colonies than from *England*, for this reason ; the provisions we might



*Britain.* Her prosperity depends on her commerce; her commerce on her manufactures; her [5] manufactures on the markets for them; and the most constant and advan-

send to *Barbados, Jamaica, &c.*, would be *unimprov'd* product of the earth, as grain of all kinds, or such product where there is little got by the improvement, as malt, salt, beef and pork; indeed, the exportation of salt fish thither would be more advantageous, but the goods which we send to the *Northern Colonies* are such, whose *improvement* may be justly said one with another to be near *four-fifths* of the value of the *whole commodity*, as apparel, household-furniture, and many other things.

*Idem.*

"*New-England* is the most prejudicial plantation to the kingdom of *England*; and yet, to do right to that most industrious *English* colony, I must confess, that though we lose by their unlimited trade with other foreign plantations, yet we are very great gainers by their direct trade to and from *Old England*. Our yearly exportations of *English* manufactures, malt and other goods, from hence thither, amounting, in my opinion, to *ten times* the value of what is imported from thence; which calculation I do not make at random, but upon *mature consideration*, and, peradventure, upon *as much experience in this very trade*, as any other person will pretend to; and therefore, whenever reformation of our correspondency in trade with that people shall be thought on, it will, in my poor judgment, require GREAT TENDERNESS, and VERY SERIOUS CIRCUMSPECTION."

Sir JOSIAH CHILD'S discourse on trade.

"Our plantations spend mostly our *English* manufactures, and those of all sorts almost imaginable, in *egregious quantities*, and employ near *two-thirds* of our *English* shipping; so that we have *more people* in *England*, by reason of our plantations in *America*." *Idem.*

Sir JOSIAH CHILD says, in another part of his work, "That not more than fifty families are maintained in *England* by the refining of sugar." From whence, and from what *Davenant* says, it is plain, that the advantages here said to be derived from the plantations by *England*, must be meant chiefly of the continental colonies. See notes to pages 12 & 13.

"I shall sum up my whole remarks on our *American* colonies, with this observation, that as they are a certain annual revenue of several millions sterling to their Mother Country, they ought carefully to be protected, duly encouraged, and every opportunity that presents, improved for their increment and advantage, as every one they can possibly reap, must at last return to us with interest."

BEAWES'S *Lex merc. red.*

"We may safely advance, that our trade and navigation are greatly en-



tageous markets are afforded by the colonies, as in all others the \*rest of *Europe* interferes with her, and various accidents may interrupt them. The benefit from hence is at *present* immense; but in *future* times when *America* shall be more fully peopled, must exceed with prudent management the warmest wishes of a *British* Patriot.

Our chief productions are provisions, naval stores, furs, iron and lumber. A few colonies yield tobacco and indigo. Some of these commodities are necessary to *Great-Britain*; but all that she requires are [6] vastly insufficient to pay for her manufactures which we want. The productions of some of the Southern Colonies may perhaps be equal to their demands, but the case is widely different with the Northern; for in these, the importations from *Great-Britain* are computed to be generally more than double the value of their immediate exportations to that kingdom.

The only expedient left us for making our remittances, is to carry on some other trade, whereby we can obtain silver and gold, which our own country does not afford. Hence it is evident, that if our taking off and paying for

creased by our colonies, and that they really are a source of treasure and naval power to this kingdom, since *they work for us*, and *their treasure centers here*. Before their settlement, our manufactures were few, and those but indifferent; the number of *English* merchants very small, and the whole shipping of the nation much inferior to what now belongs to the Northern Colonies only. *These are certain facts*. But since their establishment, our condition has altered for the better, almost to a degree beyond credibility.—Our MANUFACTURES are prodigiously encreased, chiefly by the demand for them in the plantations, where they AT LEAST TAKE OFF ONE HALF, and supply us with many valuable commodities for exportation, which is as great an emolument to the Mother Kingdom, as to the plantations themselves."

POSTLETHWAYT'S univ. dict. of trade and commerce.

\* "Most of the nations of *Europe* have interfered with us, more or less, in divers of our staple manufactures, within half a century, not only in our woolen, but in our lead and tin manufactures, as well as our fisheries."

POSTLETHWAYT, *ibid.*

her manufactures, is beneficial to *Great-Britain*, the channels by which we acquire money for that purpose, ought to be industriously kept open and uninterrupted.

Our trade with *Spain*, *Portugal* and the foreign plantations in the *West-Indies* have chiefly answered this end, though with much difficulty, the mother country having long since drawn the \*commercial cords with which the colonies are bound, extremely tight upon them. Every thing produced *here*, that *Great-Britain* chuses to take to herself, must be carried to that king- [7] dom† only—

\* As far as regulations are requisite to confine the commerce of the colonies to *British* subjects and to *British* ships; to give *Great Britain* the preference in being supplied with naval stores, so essential to her strength at sea; with commodities necessary for carrying on her woollen manufactures, or such articles as can bear high duties upon them, and thereby make a considerable addition to the revenue; or as far as they are requisite to prevent the colonies from being supplied with any thing in the place of *British* manufactures, they may be reasonable. These regulations, it is apprehended, establish the basis of the *British* power; and form such a firm connection between the Mother Country and her Colonies, as will produce all the advantages she ought to wish for, or that they can afford her. Any further attempt to shackle *some* of the colonies in favour of *others*, or to advance the revenue in *America* by restraining her trade, is but regulating by a severe exercise of power, what wants no regulation, and losing by too much haste to gain. (See *Notes to page 15.*) *Unnecessary* and *irritating* restrictions, will at last cast *contempt* and *hatred* on those *substantial* ones, that length of time, and the natural reverence of Colonies for their Mother Country, would have consecrated; for discontented minds are not apt to distinguish. "Narrow-limited notions in trade and planting, are only advanced by, and can only be of use to *particular* persons, but are always injurious to the *public* interests, in preventing the full employment of our own people, and giving our rivals and competitors in trade, the opportunity of employing greater numbers of theirs, producing greater quantities of merchandizes, and underselling us at foreign markets."

POSTLETHWAYT'S univ. dict. of trade and commerce.

† *Montesquieu*, speaking of the contract made by *Poland* for selling *all* her corn to *Dantzick* ONLY; and another of the like nature between some *Indian* princes and the *Dutch* for spices, says: "These agreements are proper for a poor nation, whose inhabitants are satisfied to *forego* the hopes of enriching themselves provided they can be secure of a certain



Every thing we chuse to import from *Europe*, must be shipped in \* *Great-Britain*—Heavy duties have been laid on our importations from the foreign plantations.

However under all these restraints and some others that have been imposed on us, we have not till lately been unhappy. Our spirits were not depressed. We apprehended no design formed against our liberty. We for a long time enjoyed peace, and were quite free from any heavy debt, either internal or external. We had a paper currency which served as a medium of domestic commerce, and permitted us to employ all the gold and silver we could acquire, in trade abroad. We had a multitude of markets for our provisions, lumber and iron. These allowed liberties, with some others we assumed, enabled us to collect considerable sums of money for the joint benefit of ourselves and our mother country.[8]

But the modern regulations are in every circumstance afflicting. The remittances we have been able to make to *Great-Britain*, with all the licence hitherto granted or taken, and all the money brought among us in the course of the late war, have not been sufficient to pay her what we owe; but there still remains due, according to a late calculation made by the *English* merchants, the sum of four millions sterling. Besides this, we are and have been for many years heavily taxed, for the payment of the debts contracted by our efforts against the common enemy. These seem to be difficulties severe enough for young colonies to contend with. The last † sinks our paper cur-

*subsistence*; or for nations, whose SLAVERY consists either in renouncing the use of those things which nature has given them; or in being OBLIGED TO SUBMIT TO A DISADVANTAGEOUS COMMERCE."

\* Except Salt from any part of *Europe* for the fisheries of *Newfoundland*, *New England*, *New York* and *Pennsylvania*; and a few things from *Ireland*.

† While the quantity of paper currency is proportioned to the uses for it, it must be beneficial; and therefore to sink it below that quantity, must be prejudicial.

rency very fast. The former sweeps off our silver and gold in a torrent to *Great-Britain*, and leaves us continually toiling to supply from a number of distant springs the continually wasting stream.

Thus drained, we are prohibited by new and stricter restraints being laid on our trade, from procuring these coins as we used to do; and from instituting among ourselves bills of credit in the place of such portions of them as are required in our internal traffic; and in this exhausted condition, our languishing country is to strive to take up and to totter under the additional burthen of the STAMP ACT.

In defence of the prohibition to institute *bills of credit*, it may be said, "that some few colonies, by injurious emissions of paper currency, did great injury to individuals. It is true: But it is as true, that others\* always supported the credit of their bills in such a manner, that their emissions were of vast benefit both to the provinces and to *Great-Britain*. The inconveniences under which the colonies laboured before these emissions are well remembered, and were produced by the same cause that distresses us at this time; that is, by *Great-Britain's* taking off all our gold and silver. There was then so little money among several of them, that a stop was put in a manner to buying and selling, and then shop-keepers were obliged to barter their goods for food. The effect produced by these emissions was surprizing—Trade revived; and the remarkable and immediate † increase of our importations shewed

\* No attempt was ever made in this province and some others, to pay *English* debts any otherwise than according to the rate of exchange; and no complaint was ever made of injustice from the depreciation of the currency.

† Value of the exports from *England* to *Pennsylvania* at different periods.

In 1723 they were	£15,992	19	4
1730 . . . . .	48,592	7	5
1737 . . . . .	56,690	6	7
1742 . . . . .	75,295	3	4



how advantageous they were to *Great-Britain*. If any [10] inconveniences were feared from this kind of cur-

In the year 1723 the first bills of credit were emitted in *Pennsylvania*, to the value of £45000. In 1728, part of the first emission being then sunk, £30000 more were emitted. It appears from the account above, that in seven years from 1723 to 1730, the exports increased £32 599 8 1 sterling.—In 1738, great part of the preceding emissions being then sunk, there was an emission and re-emission amounting in the whole to £80000. In five years afterwards it appears by the account above, the exports increased over £20000 sterling.

In later times when larger emissions have been made, the exports have proportionately increased. In 1755 £55000 were emitted; and in 1756 £30000.—In 1757, the exports amounted to £268,426 6 6.—Afterwards our emissions were still greater, and in one year of the war, the exports rose to more than £700,000 sterling.

It is not pretended, that the increase of our importations is *solely* owing to the emissions of paper money; but it is thought to be a very great cause of that increase. It is undoubtedly owing in part to the increase of people by propagation, and the influx of foreigners. But such *great* and *sudden* increases as have been mentioned in the short space of seven or five years, from 1723 to 1730, and from 1737 to 1742, could not in any great degree proceed from the increase by propagation; and at that time I think foreigners did not flow in upon us in such numbers as they since have done. In the war large sums were brought among us for the maintenance of the fleets and armies, it is true: but that our currency was then of great utility is evident, because when the greatest quantity of it was passing, bills of exchange were lower than they were for a long time before, or have been since.

It may be objected, that the complaint of the scarcity of money in *America*, particularly in this province, cannot be well founded, as we have lately had such large emissions. I am very sensible how liable persons are to errors in questions of this nature, and therefore I think myself obliged to speak with diffidence on the subject. Perhaps the following observations may in some measure answer the objection. 1st. About one half of the emissions is sunk. 2dly. A very great part of the bills now circulating, are passing in the neighbouring provinces. 3dly. Our gold and silver are sent to *Great Britain*, so that but small quantities thereof are now current among us—and therefore we must almost entirely rely on our paper for the medium of domestic commerce. Lastly, it does not seem probable, that we should have heard such great complaints of the scarcity of money, if the extreme restrictions of our commerce had not so generally prevented our usual methods of acquiring it.

rency, means might have been found to prevent them, without utterly abolishing it: But now the apprehension of mischiefs that might have been more easily obviated, has deprived us of real benefits.

Perhaps no mode could be devis'd more advantageous to the public, or to individuals, than our method of emitting bills in this province for our own use. They are lent out upon good security, chiefly real, at the interest of *five per cent.* The borrowers are allowed a long term for payment, and the sums borrowed being divided into equal portions, they are obliged to pay one of these, with the interest of the whole, every year during the term. This renders the payments very easy; and as no person [11] is permitted to borrow a large sum, a great number are accommodated. The consequences of such regulations are obvious. These bills represent money in the same manner that money represents other things. As long therefore as the quantity is proportioned to the uses, these emissions have the same effects, that the gradual introduction of additional sums of money would have. People of very small fortunes are enabled to purchase and cultivate land, which is of so much consequence in settling new countries, or to carry on some business, that without such assistance they would be incapable of managing: For no private person would lend money on such favourable terms. From the borrowers the currency passes into other hands, encreases consumption, raises the prices of commodities, quickens circulation, and communicating a vigour to all kinds of industry, returns in its course into the possession of the borrowers, to repay them for that labour which it may properly be said to have produced. They deliver it, according to the original contracts, into the treasury, where the interest raises a fund without the imposition of taxes, for the public use.

While emissions are thus conducted with prudence, they may be compared to springs, whose water an industrious



and knowing farmer spreads in many meandering rivulets through his gardens and meadows, and after it has refreshed all the vegetable tribes it meets with, and has set them a growing, leads it into a reservoir, where it answers some new purpose.

If it could be possible to establish a currency throughout the colonies, on some foundation of this kind, perhaps greater benefits might be derived from it, than would be generally believed without the trial. [12]

With respect to the restrictions laid on our trade in *foreign plantations*, it has been alleg'd, as a reason for them, "that our islands ought to be encouraged." They ought to be: But should the interest of one colony be preferred to that of another? Should the welfare of millions be sacrificed to the magnificence of a few? If the exorbitant profits of one colony must arise from the depression of another, should not such injustice be redressed?

There is a vast difference to be made in calculating the gains of any particular branch of business to the *public* and to *individuals*. The advantages to the last may be small, and yet great to the first, or the reverse. The statutes made to restrain the trade of the continent in \*favour of

\* "The agents for *New York*, in their contest with the sugar colonies, affirmed, That their winters being severe, obliged them to take off more of the woollen manufactures of this kingdom (*for which they remitted gold and silver*) than all the *islands* (*Jamaica excepted*) *put together*; and which I believe has remained uncontradicted."

BEAWES'S *Lex merc. red.*

If one province THEN exceeded all our *West Indies*, except *Jamaica*, in this particular, what proportion would that single island bear NOW, to all the *rest of the continental colonies*?

The following account of the exports from ENGLAND to the *Northern Colonies*, and to the *West India Islands*, will shew they were nearly equal some time ago; that those to the *Northern Colonies* now vastly exceed, and are prodigiously increasing, while those to the *Islands* have continued nearly the same.

the islands, seem to tend rather towards [13] promoting  
\**partial* than *general* interests, and it appears to me no

From 1744 to 1748, inclusive.

<i>Northern Colonies.</i>					<i>West India Islands.</i>				
1744 . .	£640	114	12	4 . . . . .	£796	112	17	9	
1745 . .	534	316	2	5 . . . . .	503	669	19	9	
1746 . .	754	945	4	3 . . . . .	472	994	19	7	
1747 . .	726	648	5	5 . . . . .	856	463	18	6	
1748 . .	830	243	16	9 . . . . .	734	095	15	3	
Total	£3,486	268	1	2	Total	£3,563	337	10	10
					Difference	122	930	10	4
						£3,486	268	1	2

From 1754 to 1758, inclusive.

<i>Northern Colonies.</i>					<i>West India Islands.</i>				
1754 . .	£1,246	615	1	11 . . . . .	£685	675	3	0	
1755 . .	1,177	848	6	10 . . . . .	694	667	13	3	
1756 . .	1,428	720	18	10 . . . . .	733	458	16	3	
1757 . .	1,727	924	2	10 . . . . .	776	488	0	6	
1758 . .	1,832	948	13	10 . . . . .	877	571	19	11	
Total	£7,414	057	4	3	Total	£3,767	841	12	11
					Difference	3,646	215	11	4
						£7,414	057	4	3

Total for the *Northern Colonies*, in the first Term . £3,486,268 1 2  
Ditto, in the second Term . . . . . 7,414,057 4 3

Increase, £3,927,789 3 1

Total for the *West India Islands*, in the first Term . £3,363,337 10 10  
Ditto, in the second Term . . . . . 3,767,841 12 11

Increase, only £0,404,504 2 1

The difference between the employment afforded to the manufacturers of *England*, by the *Northern Colonies* and by the *West India Islands*, is still greater than it may appear to be from the first view of the preceding account: For a much greater quantity of *East India* goods is exported to the last than to the first; and the *English* manufactures consumed by them generally derive their value from the richness of the materials, many of which are brought from foreign countries, but those we consume, chiefly derive their value from the work bestowed upon them. (Vide note to pages 4 and 5.)

\* Vide Note to page 6.



paradox to say, that the public would be a great gainer, if estates there were so \*moderate that not a tenth part of the *West-India* gentlemen that now sit in the House of Commons, could obtain that frequently expensive honor.

It is allowed by those well acquainted with the islands, that they cannot supply *Great-Britain* and these colonies [14] with sugar and other articles, and that they can by no means consume the productions of these colonies; yet in †favour to them, we are almost entirely prevented from sending these productions to any other markets. Hence it follows, that we are frequently obliged to sell our commodities to them at so low a price, as not to pay the first cost and freight; while we, being in a manner prohibited from getting the *West-India* productions, for which we

\* "A great advantage which the *French* have over the *English* in their sugar colonies, is their *agrarian law*, whereby monopolists are prevented from engrossing too much land; so that the number of whites is greatly increased, the land improved, more commodities raised, the planters obliged to a more frugal way of living, and all things rendered cheaper. By these means *Martinico* can muster 16,000 fighting men; but *Jamaica*, which is near three times as large, only 4,000."

TUCKER on trade.

† It is recited in the 6th of Geo. 2d. ch. 13, now made perpetual, "that the Sugar colonies could not carry on their trade ON AN EQUAL FOOTING with the foreign Sugar Colonies, without some advantage and relief given to them by *Great Britain*." That advantage GIVEN by *Great Britain*—was to compel the continental Colonies to take their productions at any price they please to ask.—In short, to grant them a MONOPOLY for Sugars. This was taking from one indeed to give to another; but goes not to the root of the evil; as the next preceding note evidently shews. For if *Great Britain* should sacrifice her own interests and those of her continental colonies still more, if it be possible, to the interest of these islanders, they never will "carry on their trade ON AN EQUAL FOOTING with the foreign sugar colonies," until there is the same moderation in their estates, and the same frugality in their living. By a very singular disposition of affairs, the colonies of an absolute monarchy are settled on a republican principle; while those of a kingdom in many respects resembling a commonwealth, are cantoned out among a few lords, vested with despotic power over myriads of vassals, and supported in the pomp of *Bassa's* by their slavery.

have occasion, any where else but from them, must pay extravagantly for them.

Nor is this management attended, as it is presumed, with any benefit to the Mother Country, but with a disadvantage ; either where the productions of the foreign plantations are consumed among us, or re-exported to *Europe*. By the compulsion on us to take from our islands, the price of their productions is raised on the people of *Great-Britain*. The Revenue would be encreased by this restriction being taken off, as we should willingly pay a moderate duty upon importations from the *French* and *Spaniards*, without attempting to run them ; while a very considerable duty would be paid [15] on the \*sugars of our islands, which, instead of coming to us, would then go to *Great-Britain*. Besides, whatever extraordinary price we pay for the productions of our own islands, must lessen our demand for *British* manufactures ; since it is an † undeniable

\*The restriction on the trade of the colonies to foreign plantations for Molasses, is particularly grievous and impolitic, as the Molasses brought from thence was distilled for the *fisheries*, the *Indian* and *Guinea* trades, the profit of which centered in *Great-Britain*. It is said, our vessels now buy spirituous liquors on the coast of *Guinea* from the *Dutch*. [In *Dickinson's Political Writings* this note is altered to read : "The restriction on the trade of the colonies to foreign plantations for molasses, is particularly hurtful and impolitic, as the molasses brought from thence was distilled for the *fisheries*, the *Indian* and other trades, the profit of which centered in *Great Britain*."—Ed.]

† This cannot be disputed by any one who is acquainted with *America*. This increase of a man's wealth there shews itself in a great consumption of *British* manufactures of all kinds.—This reasoning in favour of the continental colonies trade with foreign plantations, is confirmed by what Sir *Josiah Child* mentions of *New-England*.—He says,—"*England* loses by the *unlimited trade* of this colony to other foreign plantations, but gains by her direct trade to *Old England*, from whence she exports manufactures to *ten times* the value of her imports." (See the note to page 4.) What was it then that enabled *New-England* to pay *ten times* the value of her imports to *England*, but the profits of her trade to foreign plantations ? This appears to be a direct authority in support of the ar-



truth, that what we [16] should save in that way, would be chiefly spent in this. It may also justly be added, that our commerce with the foreign plantations, carries to them very considerable quantities of *British* manufactures, for their consumption.\*

If our importations from them should be re-exported to *Europe*, the profits would center in *Great-Britain*, according to the usual course of our trade. The statute passed in the twenty-fifth year of *Charles* the second, indeed mentions this practice as injurious. It might be so, if regarded without its attendant circumstances; but if *they* are taken

guments hereafter used. It seems therefore that *Great-Britain* of late, through too great eagerness to gather golden fruits, has shaken the tree before they were full grown. With a little patience they would ripen and then of themselves drop into her lap.

"The inhabitants of our colonies, by carrying on a trade with their *foreign neighbours*, do not only occasion a greater quantity of the goods and merchandizes of *Europe* being sent from hence to them, and a greater quantity of the product of *America* to be sent from them hither, which would otherwise be carried from, and brought to *Europe* by foreigners, but an increase of the seamen and navigation in those parts, which is of great strength and security, as well as of great advantage to our plantations in general. And though some of our colonies are not only for preventing the importation of all goods of the same species they produce, but suffer particular planters to keep great runs of land in their possession uncultivated, with design to prevent new settlements, whereby they imagine the prices of their commodities may be affected; yet if it be considered, that the Markets of *Great-Britain* depend on the markets of ALL *Europe* in general, and that the *European* markets in general depend on the proportion between the annual consumption and the whole quantity of each species annually produced by ALL nations; it must follow, that whether we or foreigners are the producers, carriers, importers and exporters of *American* produce yet their respective prices in each colony (the difference of freight, customs and importations considered) will always bear proportion to the general consumption of the whole quantity of each sort, produced in all colonies, and in all parts, allowing only for the usual contingencies that trade and commerce, agriculture and manufactures are liable to in all countries."

POSTLETHWAYT'S Univ. Dict. of Trade and Commerce.

\* See the preceding note.

into view, and it be considered, that if *we* do not carry these productions to *Europe*, *foreigners* will, no mischief seems likely to ensue from our becoming the carriers.\*

The restriction also with regard to our iron, is thought particularly severe. Whenever we can get a better price in *Great-Britain* than elsewhere, it is unnecessary; whenever we can get a better price in other places, it is †prejudicial. Cargoes composed of this metal, [17] provisions and lumber, have been found to answer very well at the *Portuguese* and some other markets; and as the last articles are frequently very low, and our foreign trade is reduced to so few commodities, the taking away any one of them must be hurtful to us. Indeed, to require us to send all our iron to *Great-Britain*, is, in the opinion of some of our most judicious merchants, to require an impossibility: For as this article is so heavy, and such small quantities can be sent in one vessel, they assert, that we cannot find freight directly home for one half of it.

Besides the circumstances already mentioned to prove the injurious consequences of the late restrictions, there is

\* See the preceding note.

† If *Great Britain* really takes off from *Sweden* iron to the value of £200,000, according to the calculation that has been made, yet she does not lose all that sum. Not to insist on the merely political advantage of having a commerce with that *protestant* kingdom, which by being beneficial to her, may more firmly attach her to our interest, it may be observed, that the trade of *Great-Britain* to *Sweden*, it is for iron in the gross, which is afterwards worked up, and large quantities of it re-exported: so that money may thereby be brought into the kingdom, and a great number of hands is employed. There is a vast difference between this trade, and that to *France*, from whence the importations into *Great-Britain* are merely for consumption, without affording any employment to her people, or any profit by re-exportation. Besides, if the colonies can get more by carrying their iron to foreign ports, than to *Great-Britain*, (and if they cannot, there is no occasion of a law to compel them to carry it to *Great-Britain*) they will be more able to make larger demands for *British* manufactures; so that *Great-Britain* will gain the profits of our iron, to make up her loss by what she takes from *Sweden*.



another, which has great force in persuading me that our trade ought by all means to be more encouraged and extended at this time, than was formerly necessary. Our settlements then only comprehended a narrow strip along the shore of the ocean; they were less populous; and their distance from the sea ports being [18] small, they were supplied with every thing they wanted from thence, without any length of inland carriage. But now we have penetrated boundless forests, have passed over immense mountains, and are daily pushing further and further into the wilderness; the inhabitants of these remote regions, must of necessity hold very little intercourse with those which are near the sea, unless a very extensive commerce shall enable these to supply them with such quantities of \*foreign commodities as they want, and at such prices as they can afford to pay. Every restriction on our trade, seems to be a restriction on this intercourse, and must gradually cut off the connection of the interior parts with the maritime and the mother country.

But it is unnecessary to endeavour to prove by reasoning on these things, that we *shall suffer*, for we *already suffer*. Trade is decaying; and all credit is expiring. †Money is become so extremely scarce, that reputable freeholders find it impossible to pay debts which are trifling in comparison to their estates. If creditors sue, and take out executions, the lands and personal estate, as the sale must

\*It is apprehended, that if the greatest part of the commodities demanded by the back country should not be *British* but *West-Indian*, yet it must be beneficial to *Great-Britain* to promote this trade by all means. For if the country nearer the sea grows rich by supplying them with the productions of the *West-Indies*, these will certainly consume greater quantities of *British* manufactures.

†It is said that in *Virginia*, the sheriffs, instead of raising the annual levies, have been obliged to make returns into the treasury, of effects which they have taken in execution, but could not sell, as there were no bidders for ready money. [*This note is struck out in Dickinson's Political Writings.—Ed.*]

be for ready money, are sold for a small part of what they were worth when the debts were contracted. The debtors are ruined. The creditors get but part of their debts, and that ruins them. Thus the consumers break the shopkeepers; they break the merchants; and the shock must be felt as far as *London*. Fortunate, indeed, is the man who can get satisfaction *in Money* for any part of his debt, in some countries; for in many instances, after lands and goods have been repeatedly advertised in the public gazettes, and exposed to sale, not a buyer appears.

By these means multitudes are already ruined, and the estates of others are melting away in the same manner. It must strike any one with great surprize and concern, to hear of the number of debtors discharged every court by our insolvent act. Though our courts are held every quarter, yet at the last term for the county of *Philadelphia* alone, no less than thirty-five persons applied for the benefit of that act. If it be considered, that this law extends only to those who do not owe any single debt above £.150, that many are daily released by the lenity of their creditors, and that many more remove, without their knowledge, it will not be difficult to form a judgment of the condition to which the people are reduced.

If these effects are produced already, what can we expect, when the same cause shall have operated longer? What can we expect, when the exhausted colonies shall feel the STAMP ACT drawing off, as it were, the last drops of their blood? From whence is the silver to come, with which the taxes imposed by this act, and the duties imposed by other late acts, are to be paid? Or how will our *merchants* and the *lower ranks of people*, on whom the force of these regulations will fall first, and with the greatest violence, bear this additional load? [20]

These last are to be considered in a very different light from those of the same classes in *Great Britain*.



*There* the nature of their employments, and the plenty of money, gives them very little occasion to make contracts in writing; but *here* they are continually making them, and are obliged to do so. The STAMP ACT, therefore, will be severely felt by *these*, in whose welfare the prosperity of a state is always so much interested; and\* transfers of property, that ought, in new countries particularly, to be made as easy as possible, will be much discouraged. From the necessity they are under of making contracts *to be executed afterwards*, the lower ranks of people here are frequently engaged in law suits; and as the law is already a very heavy tax on the subject in all parts of the *British* dominions, this act will render it destructive here; for the necessities, the follies and the passions of mankind, will not suffer them to cease from harassing one another in that way.

Neither are the merchants here by any means able to bear taxes, as they do at home. A very great number of them there put such stocks into trade, as would be thought large fortunes among us; and our merchants would think themselves very happy to leave off business with such estates as the others begin with. I speak of the merchants in general; for we have on the continent individuals who are rich, but their number [21] is too inconsiderable to deserve any notice on this occasion. Besides, the interest of money being lower at home than it is here, those who trade on borrowed stocks, can do it to much greater advan-

\* In the present scarcity of money, the sellers of lands, negroes, &c., always insist on having part of the purchase-money in hand.—The buyers, unless they happen to be rich men, find it impossible to comply with this term, unless they borrow money, which cannot now be done but in very small parcels from different persons.—Each of these must have a bond; and each of those bonds must pay a stamp-duty of one shilling sterling, if the sum be above ten pounds and under twenty—and if above twenty pounds and under forty, one shilling and six pence sterling—besides a duty on the original contract.

tage there than we can. Indeed, among us it is almost impossible to get money to trade upon at any rate. How unequal, under the present disadvantages, a merchant's commerce will be to the payment of all the taxes imposed by the STAMP ACT on his policies, fees with clerks, charter parties, protests, his other notarial acts, his letters, and even his advertisements, experience, I am afraid will unhappily prove.

Thus, I apprehend, that this Act will be extremely heavy on those who are least able to bear it; and if our merchants and people of little substance languish under it, all others must be affected. Our mode of taxation, hath always been by making as exact an estimate as could be formed of each man's estate; by which means, our taxes have been proportioned to the abilities of those who were to pay them. Few persons are employed in the collection of them; their allowance is very moderate; and therefore the expence is small. No excessive penalties, no tribes of informers, no dreadful and detestable courts are necessary. This I imagine, is the mode of taxation, which in young colonies, will be found to be least oppressive and destructive, and certainly the most equal: But by the STAMP ACT, the \* wealthy who have money to let out at interest, or to make purchases, and undoubtedly ought to pay the most towards the public charges, will escape these taxes, while the whole [22] weight of them will fall on the necessitous and industrious, who most of all require relief and encouragement.

But it may be said, "That the merchants will not be affected by these taxes, because they will raise the prices of their goods in proportion, and that at length *all taxes must arise from lands.*"

\* If a rich man buys land, it is generally from the distressed, and therefore the seller's situation will oblige him to pay for the deed, when the other insists on it; and when a man borrows money, everybody knows who pays for the bonds and mortgages.



This rule seems more applicable to very populous and rich countries, where the manufacturers and land-holders through necessity or the force of fashions, have pressing demands upon the merchants, than to such a country as this, where a great majority of the people live on their lands in a very plain way. For by practising a strict frugality and industry, *we* may render ourselves more independent of the merchants, than the circumstances of more populous and wealthy states will permit the other classes of their people to be. The high prices therefore which our merchants impose upon their goods, will discourage the sale of them, and consequently they must "be affected by the taxes," which oblige them to raise the prices in this manner.

However, granting that all taxes must arise from lands; it follows, that where the profits of the lands are small, it follows, that where the profits of the lands are small, they can bear but small taxes. The more labour is bestowed on them, the greater the profits *will* be, and the taxes *may be*. In old populous countries there is an opportunity of bestowing this labour, and the manner of doing it is well understood. Thus in *England*, the profits of land are so great, as to support a very large number of nobility and gentry in splendor, and to afford means of raising taxes to an amazing amount. Nor are the workers of the land unrewarded; for the farmers have such long leases, and other encouragements, that they thrive and live comfortably, and many of them are very wealthy. [23]

How different is the case in *America*? The inhabitants being scattered thin through the country, and labourers being very scarce, they think themselves fortunate, if they can clear their land, fence it, and any how put their grain into the ground in season. Manuring or\*

\* "Further, it may be observed, that our lands are not sufficiently cultivated, even where they are capable of great improvement. Hence large tracts serve only to maintain a small number of people. If we ask, why

improving soils is not known, except in some small closes near cities; but every one must be content with what his land will yield of itself. With this it must be considered, that at least four fifths of the people in *America*, live upon farms either of their own, or rented, and spend their small profits in maintaining their families; and it frequently happens from the length and severity of our winters, that the whole produce of a man's farm is not sufficient to maintain his family and stock. \*

We are informed, that an opinion has been industriously propagated in *Great-Britain*, that the colonies are † wal-

our lands (meaning in *Scotland*) are so ill cultivated, besides the OBVIOUS CAUSES arising from the POVERTY and UNSKILLFULNESS of many of our farmers, the SHORTNESS OF THEIR LEASES, and other things which will occur upon the least reflection, it is not a little owing to a want of inclination for agriculture, etc."

DISSERTATION on the numbers of mankind.

\* Small as the value of our land is, it is still daily decreasing, by the number of markets for their produce being lessened; which must in time give the people an inclination to try what they can make by manufactures.

The *riches* of a people are always in proportion to the number of hands employed in works of SKILL and LABOUR. Where these are few, there can be but little wealth; and where there is little wealth, but very small taxes can be borne. [*This note is struck out in Dickinson's Political Writings.—Ed.*]

† "It is certain, that from the very time Sir *Walter Raleigh*, the father of our *English* colonies, and his associates, first projected these establishments, there have been persons who have found an interest in *misrepresenting*, or lessening the value of them.—The attempts were called chimerical, and dangerous. Afterwards many malignant suggestions were made about sacrificing so many *Englishmen* to the obstinate desire of settling colonies in countries which then produced very little advantage. But as these difficulties were gradually surmounted, those complaints vanished. No sooner were *these lamentations* over but *others* arose in their stead; when it could no longer be said, that the colonies were useless, it was alleged that they were not *useful enough* to their mother country; that while we were loaded with taxes, they were absolutely free; that the *planters* lived like *princes*, while the inhabitants of *England* laboured hard for a tolerable subsistence. This produced cus-



lowing in wealth and luxury, while she is la- [24] bouring under an enormous load of debt. Never was there a greater mistake. This opinion has arisen from slight observations made in our cities during the late war, when large sums of money were spent here in support of fleets and armies. Our productions were then in great demand, and trade flourished. Having a number of strangers among us, the people naturally not ungenerous or inhospitable, indulged themselves in many uncommon expenses. But the cause of this gaiety has ceased, and all the effect remaining, is, that we are to be treated as a rich people, when we are really poor. *Tully* mentions a man who lost an honorable office, by the homely entertainment he gave the people of *Rome*, when he could have afforded a better; but we have lost vastly more by the imprudent excess of kindness, with which we have [25] treated the people of *Great-Britain* who have come among us, at an expence that did not suit our fortunes.

To all the disadvantages that have been mentioned, it must be added, that our markets are much more precarious than those at home. It is computed, that one half of the people there live in cities, and consequently there must be a perpetual domestic demand for the productions of the toms and impositions, which, if grievous to the plantations, must turn to our disadvantage, as well as theirs, and consequently become detrimental to both."

POSTLETHWAYT'S univ. dict. of trade and commerce.

In pursuance of this design to bring down the pride of these PRINCELY PLANTERS, such heavy impositions were laid in *Great-Britain* on tobacco, that the inhabitants of *Maryland* and *Virginia* were discouraged from raising it. Then the mother country FELT her error, and these PRINCES were found to be very poor people. The same *unhappy spirit* is now producing the same mistake. There wants but a very little more weight upon *Maryland* and *Virginia*, to prevent their raising tobacco, and to make them and all their sister colonies sink under their multiplied burthens. [*This note is struck out in Dickinson's Political Writings.* —Ed.]

earth; and foreign markets are not far distant for the overplus. Here the quantity sold for consumption among us is small, and most of the foreign markets are very remote.

These reasons induce me to think, that the colonies, unless some fortunate event, not to be expected, should happen, cannot bear the restrictions and taxations laid upon them by the mother country, without suffering very severely. What then can we do? Which way shall we turn ourselves? How may we mitigate the miseries of our country? *Great-Britain* gives us an example to guide us. SHE TEACHES US TO MAKE A DISTINCTION BETWEEN HER INTERESTS AND OUR OWN. Teaches! She requires—commands—insists upon it—threatens—compels—and even distresses us into it.

We have our choice of these two things—to continue our present limited and disadvantageous commerce—or to promote manufactures among ourselves, with a habit of œconomy, and thereby remove the necessity we are now under of being supplied by *Great-Britain*.

It is not difficult to determine which of these things is most eligible. Could the last of them be only so far [26] executed, as to bring our demand for *British* manufactures below the profits of our foreign trade, and the amount of our commodities immediately remitted home, these colonies might revive and flourish. States and families are enriched by the same means; that is, by being so industrious and frugal, as to spend less than what they raise can pay for.

We have examples in this province, which if imitated by others, must unavoidably produce the most happy effects for us: I mean the examples of the industrious, frugal, honest *Germans*. Their lands are as well cultivated as they can be in this new country, and they have the good sense to require very little provisions and cloaths more than they can get from their own farms, and make with



their own hands. If we only consider for a moment the consequences of such a conduct, should it be general, we must be convinced it must produce commerce, since all superfluities would be exported, and the Owners having few demands in return, *that commerce* would of course produce wealth.

Indeed we shall be compelled, I apprehend, generally to imitate these examples. The late regulations, and our constant remittances to *Great-Britain*, have extremely lessened the quantity of money among us, and yet these remittances are not sufficient to pay for those things we want from home. Necessity will teach us two ways to relieve ourselves. The one is, to keep the *British* manufactures we purchase longer in use for wear than we have been accustomed to do. The other is, to supply their place by manufactures of our own. I don't suppose our difficulties will *immediately* produce expert artists among us; but as the inhabitants here generally [27] reside on their lands, and live in a plain rustic way, they will be able to supply themselves with many articles. Some author, and I think *Keysler*, says, that in *Switzerland*, every family has all the trades in it that are necessary for its use. Their work is not, it may be presumed, at all in the taste of *London* or *Paris*, but it serves their purpose; and their coarse cloaths and simple furniture enable them to live in plenty, and to defend their liberty. Something of this kind will be, nay, already is, practised by us. It is surprising to see the linen and cloth that have been lately made among us. Many gentlemen in this city dress now in suits produced, manufactured, and made up in this province. The cloth is not equal in fineness to the best broad-cloth, but it is warm, strong, and not very homely; and when the *British* workmen understand that they may meet with better encouragement here than they do at home, I believe in a few years we shall have very different kinds of cloth among us

from these we now make. Instances are not wanting to justify the most sanguine expectations on this head. *Spain* used formerly to be entirely supplied with cloths from *England*; but in the reigns only of their two last kings, *Philip* the Vth, and *Ferdinand* the Vth, their manufactures have been improved to such a degree, even by that proud and indolent people, that this commerce has entirely ceased in most parts of that kingdom. The same thing has happened in *France*, notwithstanding the destructive wars in which she has been continually involved. *Switzerland* some time ago spent large sums of money in foreign commodities; but now they make excellent cloths, and good silks, though the scheme at first laboured under very great difficulties. That country used also to be supplied by *Savoy* with [28] wine; but the Duke laying a duty upon it, the *Switzers* remonstrated; but in vain. At last some of the principal men promoted the cultivation of vines, though their predecessors had never planted any. The result exceeded their hopes. \* "The demand for the *Savoyard* wine daily decreased, and instead of the precarious advantage arising from this *impolitic duty*, the certain revenue was *irretrievably lost*, and the industrious subject deprived of the benefit of his labour."

"Before the settlement of these colonies," says *Postlethwayt*, "our manufactures were few, and those but indifferent. In those days we had not only our naval stores, but our ships from our neighbours. *Germany* furnished us with all things made of metal, even to nails. Wine, paper, linens, and a thousand other things, came from *France*. *Portugal* supplied us with sugar; all the products of *America* were poured into us from *Spain*; and the *Venetians* and *Genoese* retailed to us the commodities of the *East-Indies*, at their own price."

\* *Keysler*.



The astonishing alterations in all these particulars, are too well known to need enumeration.

These instances, and many others that might be mentioned, may convince us, that nothing is too difficult for men to effect, whose hearts are filled with a generous love of their country ; and they may convince the world of the dangers that attend provoking innovations in commerce. A branch of trade once lost, is lost for ever. In short, so strong a spirit is raised in these colonies by late measures, and such success- [29] ful efforts are already made among us, that it cannot be doubted, that before the end of this century, the modern regulations will teach *America*, that she has resources within herself, of which she never otherwise would have thought. Individuals, perhaps, may find their benefit in opposing her use of these resources ; but I hope very, very few, will wish to receive benefits by such means. The man who would promote his own interests by injuring his country, is unworthy of the blessings of society.

It has hitherto been thought, by the people of *Great-Britain*, and I hope it will still be thought, that sufficient advantages are derived by her from the colonies, without laying taxes upon them. To represent them as an "expensive appendage of the *British* empire, that can no other way repay the trouble and treasure they cost her," is certainly one of the greatest errors ; and to spend much time in refuting this notion, would be unnecessary. Every advantage accruing to the colonies by their connection with the mother country, is *amply—dearly*—paid for, by the benefits derived to her from them, and by the restrictions of their commerce. These benefits have been allowed by the best writers to be immense, and \* consist in the various employment and the support they afford her people.

\* Chiefly ; even the supplying her with naval stores, &c., being inconsiderable, when compared with the other advantages.

If the colonies enable *her* to pay taxes, is it not as useful to her, as if *they* paid them? Or, indeed, may not the colonies with the strictest propriety be said to pay a great part of those taxes, when they consume the *British* manufactures \* loaded with the advanced prices occasioned by such taxes? Or, further, as the colonies are compelled to take those manufactures thus [30] loaded, when they might furnish themselves so much cheaper from other countries, may not the difference between these prices be called an *enormous tax* paid by them to *Great-Britain*? May they not also be said to pay *an enormous tax* to her, by being compelled to carry their most valuable productions *to her alone*, and to receive what she pleases to give for them, when they might sell them at other markets to much greater advantage? Lastly, may they not be said to pay a heavy tax to her, in being prohibited from carrying on such manufactures as they could have employed themselves in with advantage, and thus being obliged to resort to her for those things with which they might supply themselves? If these things are true, and can they be denied! may not

\* "If it be asked, whether foreigners, for what goods they take of us, do not pay on *that consumption* a great portion of our taxes? It is admitted they do."

POSTLETHWAYT'S *Great Britain's* true system.

By the consumption of *British* manufactures in *America*, we pay a heavier tax to *Great Britain*, than if they were consumed at home. For in the bringing them here, a vast number of merchants, factors, brokers and seamen are employed, every one of which must have such a profit, as will enable him to support himself and his family, if he has any, in a country where everything is dear by reason of the high taxes.

So far was the parliament from thinking in the last war, that any further taxes should be laid on the colonies, so convinced indeed were they that we had exceeded our abilities in the supplies we gave to the crown, that several sums of money were granted to us as indemnifications for the too heavy expences in which we had involved ourselves.

The sums thus given, paid part of our debts, but we are still labouring under the remainder.



the mother country more justly be called *expensive* to her colonies, than they can be called *expensive* to her?

What would *France* give for such *extensive* dominions? Would she refuse the empire of *North America*, unless the inhabitants would submit to any taxes she should please to impose? Or would she not rather afford them her utmost protection, if ever they should [31] be wretched enough to require it, for one half of the emoluments *Great-Britain* receives from them? In short, the amazing increase of the wealth and strength of this kingdom, since the reign of queen *Elizabeth*, in whose time the colonies began to be settled, appears to be a sufficient proof of their importance: And therefore I think it may justly be said, that THE FOUNDATIONS OF THE POWER AND GLORY OF GREAT BRITAIN ARE LAID IN AMERICA.

When the advantages derived by the mother country from her colonies are so *\*important* and *evident*, it is amazing, that any persons should venture to assert, "that she poured out her wealth and blood in the late war, *only for their defence and benefit*; and that she cannot be recompensed for this expence and loss, *but by taxing them*."

If any man who does not chuse to spend much time in considering this subject, would only read the speeches from the throne during that period, with the addresses in answer to them, he will soon be convinced *for whose benefit Great-Britain* thought she was exerting herself. For my part, I should not now be surprized, if those who maintain the abovementioned assertions, should contend, that *Great-Britain* ought to tax *Portugal*. For was not that kingdom "defended by the troops and treasure of *Great-Britain*?" And how can she be "otherwise recompensed for this expence and loss?" If the protection of *Portugal*, though no taxes are received from thence, was beneficial

\* Vide notes to page 4.

to *Great-Britain*, infinitely more so was the protection of the colonies.

So far I must beg leave to dissent from these gentlemen, that if the colonies, by an increase of industry [32] and frugality, should become able to bear this taxation, it will, in my apprehension, notwithstanding be injurious to *Great-Britain*. If the sum be trifling, it cannot be worth the discontent and unhappiness the taking it will produce among so many faithful subjects of his Majesty. If it be considerable, it must also be hurtful in another respect.

It must be granted, that it is not merely the bringing money into a nation that makes it wealthy, but the bringing money into it by the general industry of its inhabitants. A country may perpetually receive vast sums, and yet be perpetually poor. It must also be granted, that almost all the money acquired by the colonies in their other branches of trade, is spent by them in *Great-Britain*, and finds employment for her people. Whatever then lessens the sum so spent, must lessen that employment. This I think will be one consequence of the STAMP ACT: For our demand will be as much less for *British* manufactures, as the amount of the sums raised by the taxes. So much the fewer *British* merchants, artists, seamen and ships will be employed by us, and so much the more distressed at first, and afterwards so much the more frugal, \*ingenious, laborious and independent will the colonists become.

It is evident from the concurrent testimony of her own most noted authors on this subject, that *Great-Britain* is sure of having our money at † last; and it appears no difficult matter to determine, whether it is better to take it in

\* *Great Britain* will not only lose in such case, the annual amount of the taxes, but the people of *America* establishing manufactures through discontent, will in time entirely withdraw their intercourse with her.— And therefore her loss of the whole *American* trade, may be justly attributed to this inauspicious beginning.

† See notes to page 4.

LETTER  
TO THE  
PHILADELPHIA MERCHANTS  
CONCERNING  
NON-IMPORTATION.

BY  
JOHN DICKINSON.

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JULY, 1768.







## NOTE.

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IN spite of Dickinson's arguments in his *Address to The Merchants* (*ante*) the Philadelphia voluntary association for non-importation proved ineffective by the few signatures that were given to it. Indeed the point of view of the popular party, as expressed by Arthur Lee, in the *Pennsylvania Chronicle* of May 30, 1768, was that "the spirit of liberty is lukewarm in this powerful and important city." The failure at once became a subject of newspaper controversy. Charles Thomson, over the signature of "A Freeborn American," in the *Pennsylvania Gazette* of May 12, 1768, attacked the merchants bitterly, and this was echoed by an anonymous letter in the *Gazette* for June 2nd. These were answered by Galloway, over the signature of "A Chester County Farmer," in the *Gazette* of June 24th, stating that the Philadelphia merchants had "discovered the secret intention in the New-England scheme; that it would be very disadvantageous to the Trade of this Province, and when we compare the flourishing and great increase in our Trade with the various accounts we have of their [the Boston] long declining state . . . they [Philadelphia and Boston] cannot be thought on any equal footing."

This was in turn replied to, probably by Thomson, in the *Gazette* for July 21, over the signature of "Martinus Scriblerius." Galloway continued the subject, by a set of "queries" to the Philadelphia merchants in the *Pennsylvania Chronicle* for July 25, signed "A. B.," which were replied to by "C." in the *Gazette* of Aug. 4, 1768. Nor was the controversy limited in print to the newspapers. Dickinson published a piece entitled:

A copy of a letter from a Gentleman of Virginia, / To a Merchant in Philadelphia. / Folio. Broadside.

This was answered in another sheet, signed "Pacificus," probably written by Galloway, entitled:

To the Public / Philadelphia: Printed by William Goddard. / 4to, Broadside.

A copy of Dickinson's broadside, in the Arthur Lee papers, is endorsed,

"Wrote by Mr. Dickinson, and copied by me for the printer;" making it evident that Dickinson did not wish the merchants to know that he was joining in the abuse of them.

The attempt to obtain a non-importation agreement did not end with this apparent failure. On Aug. 15, 1768, the freeholders of Boston adopted such an agreement, which was imitated by the New York merchants Aug. 25. Under the pressure of this action, the Philadelphia merchants appointed a committee to endeavor to obtain a like agreement; but though the committee met several times, they were compelled to report the measure impracticable, though the leading merchants were willing to agree not to import the articles specially taxed. Finally a public meeting was called, for Sept. 22, by the committee, but not a fourth of the merchants attended it, and nothing was accomplished. This renewed the newspaper warfare, a bitter article appearing in the *New York Journal* for Oct. 6, attacking the Philadelphia merchants, and claiming that the measure had been defeated by the refusal of only eight or ten firms. This was answered in a "narrative" in the *Pennsylvania Gazette*, which is apparently official, and is a most valuable paper. To this a reply was printed in the *New York Journal* for Nov. 3, 1768. Here the matter rested some time, the extremists having failed to force their measures, so that Galloway wrote Franklin, "Great pains have been taken in this city by some hotheaded, indiscreet men, to raise a spirit of violence against the late act of parliament, but the design was crushed in its beginnings by our friends so effectually, that I think we shall not have it renewed." In this Galloway erred, for finally, in March, 1769, the Philadelphia merchants, induced by a boycott, threats of mob violence, and other stress, united in a non-importation agreement. Under such circumstances it could hardly have been expected that it would be successfully enforced, and as early as April there were charges of violation bandying between Boston, New York, and Philadelphia, which hardly furthered "united action." How Boston cheated at the triangular game was published at the time in Mein's *State of Importations from Great Britain into the Port of Boston*; and just how far each colony lived up to its promises is shown by comparison of the actual figures of imports for four years, under unrestricted trade, and under the agreements:

	1767-8.	1768-9.	1769-70.	1770-1.
New England,	£419,375	£207,993	£394,451	£1,420,119
New York,	482,930	74,918	475,991	653,621
Pennsylvania,	432,107	199,909	134,881	728,744
Maryland and Virginia,	475,954	488,362	717,782	920,326
Carolina,	289,868	306,600	146,273	409,169

—bearing out Lord North's statement in Parliament that "New York has kept strictly to its agreements, but infractions of them by the people of Boston show they will come to nothing." As these facts became known, the difficulties of enforcing the agreements became greater and greater, and finally on May 15, 1770, the Philadelphia merchants partly suspended the one they had made. Two months later New York entirely receded from hers, and this marked the entire collapse of the attempt, to the relief of the whole mercantile interest, and of consumers. The popular party, especially in Boston, were greatly enraged at its failure, and were extremely bitter against New York for its "unprincipled action;" and the charges and counter charges of various gatherings and town meetings flooded the papers till the repeal of the acts was announced, when the mutual recriminations ceased.

EDITOR.







A COPY OF A LETTER FROM A GENTLEMAN  
IN VIRGINIA, TO A MERCHANT IN  
PHILADELPHIA.

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SIR :

"I Have read, with much Attention, your Apology for the Merchants of Philadelphia ; and think you have great Merit, in attempting to vindicate a Conduct, which is deemed inexplicably spiritless by the Inhabitants of every other Colony.

"One would imagine there has been something very mysterious in the Behaviour of the Merchants of Boston, to have induced you to treat them with so much Contempt ; if their Conduct, since the first Dispute with our Mother-Country, had not been manly, candid and ingenuous.

"You confess, that many of you opposed the *Suspension*, in Consequence of Advice received from your *particular Friends in London*, that prudent and pacific Measures would be most agreeable to the Ministry and Parliament ; and that it was dangerous to provoke them. This, no doubt, influenced some among you—But, in my Opinion, we must look somewhere else for the real Cause of your Opposition : perhaps an Examination into the Nature and Design of the Stamp-Act, and the greivous one, to which you still bend the Knee, may discover the lurking Principle, upon which you acted.

"The Stamp-Act was intended to raise a Revenue in America : and the Produce of the several Duties were ordered to be paid into the Receipt of his Majesty's Exchequer, and there reserved, to be, from Time to Time,

disposed of by Parliament, towards defending, protecting, and securing the American Colonies and Plantations.—This Act, in your Resolutions for Suspending the Importation of Goods from Great-Britain, you, without Ceremony, declared to be UNCONSTITUTIONAL; you likewise entered into spirited Measures for obtaining a Repeal of it, which had an immediate and a desired Effect.—You observed, justly, that the Stamp-Act was *unconstitutional*—altho your Reasons, for believing it to be so, were not then explained. Your Opinion must have been founded upon this obvious Truth, That no Power on Earth had a Right to take Money out of your Pockets without your Consent, expressly declared by yourselves or your chosen Representatives.—Not content with barely remonstrating against the Stamp-Act—You also insisted ‘That the many Difficulties you then laboured under, as a trading People, were owing to the Restrictions, Prohibitions, and ill-advised Regulations made in the several *other* Acts of the Parliament of Great-Britain, lately passed to regulate the Colonies; which had encreased the Cost and Expence of many Articles of your Importation, and cut off from you all Means of supplying yourselves with Specie enough to pay the Duties imposed on you, much less, to serve as a Medium of your Trade.’

“The Acts, against which, you spoke thus freely—still remain in full Force and Virtue; and when you obtained a Repeal of the Stamp-Act, glorious as it was—you obtained but a Part of your Demand.—The Repeal of it was well worth the Pains and Trouble it cost you.—It was indeed so replete with ministerial Venom, and proved such a general and oppressive Burthen, that Judges, Lawyers, Physicians, Parsons, Merchants, Farmers, nay School-Boys and Orphans, were alike subject to its baneful influence.

“The Sufferings of all Ranks of People induced *them* to

oppose it—Business was consequently at a Stand.—The civil Courts were shut, and you could sue no Man for the Recovery of a Debt—You were therefore *obliged* to sacrifice a very considerable Interest; and you determined to import no Goods from Great-Britain, until it was repealed.—This was *your* Virtue!—This *your* Resolution!—Your *Patriotism* and *private Interests* were so intimately connected, that you could not prostitute the one, without endangering the other: And you would have been particularly fortunate, if Great-Britain, when she repealed the Stamp-Act, had redressed all your Grievances; and had never thought of imposing new ones—You would, *then*, have been distinguished, in the Annals of America, among her best and most virtuous Sons, for a *timely* and *resolute* Defence of her Liberties; and the Virtues, which under the present Tax you have despised and slighted, would have been, tho' unmerited, your greatest Glory—But Charles Townshend, with an artful and penetrating Eye, saw clearly to the Bottom of your Hearts—He knew, that, the private Interests of the Merchants were the Rocks against which Greenville's favorite *Argo* had unfortunately split; and that no Act of Parliament, for raising a Revenue in America, could be executed without *their* Consent and Approbation.

“To this Gentleman, you must attribute the Loss of your Reputation: and it was, certainly, *your* Misfortune, and the Misfortune of *all America*, that you did not know *him*, as well as he knew *you*,—He imposed Duties upon Paper, Glass, and Painter's Colours; Articles of Commerce, which will prove most greivous Taxes upon the Country in general; but cannot affect you, as Merchants: For it is notorious, that a Merchant must have his Profit on every Article of his Trade, let the Original Cost be what it may: 'The Purchaser of any Article, very seldom reflects that 'the Seller raises his Price, so as to indemnify himself for



'the Tax he has paid. He knows that the Prices of things 'are continually fluctuating, and if he thinks about the 'Tax, he thinks at the same Time, in all probability, that 'he might have paid as much, if the Articles he buys had 'not been taxed. He gets something visible and agreeable for his Money; the Tax and Price are so confounded together, that he cannot separate, or does not chuse to 'take the Trouble of separating them.'—Thus have the People of your Province been deceived into a Pacific Compliance with this particular Act, the Preamble of which declares it is intended to raise a Revenue in America. You did not esteem it your Duty, as Merchants nor as American Freemen, to oppose it; BECAUSE IT DID NOT DIRECTLY AFFECT YOUR PRIVATE INTERESTS. The Parliamentary Right, of Taxing America, you thought of little Consequence, when compared with your own Ease and Safety.—You concluded, that although it was *unconstitutional*, it could not do much Harm in your Time, and, that, if your Posterity did not like it, or found it insupportable,—they might endeavour to *remove* it.—By such deceitful Reasoning, you persuaded yourselves you were discharging your Duty; when you were industriously riveting Chains upon your Descendants, who will have no great Cause of Obligation to you for such distinguished Favours.—The Merchants in the Northern Colonies, despised these inglorious Motives: They were willing to lose their *whole Trade*, rather than suffer their Country to be enslaved—and for this Reason determined to suspend the Importation of Goods from Great-Britain, until the several Acts of P—t imposing Duties on America, were repealed.—This was *their* Virtue! This *their* Resolution!—Your Opposition to this Measure, prevented it from taking Effect, and you may thank yourselves for the blessed Consequences which are like to follow.—

"These Reflections may appear harsh and uncharitable;



but they are the Reflections of every man, who is not tinctured with the *local* Prejudices of your Province—Believe me, your Opposition to the Proposal of the Merchants of New-York and Boston, although it might have been founded upon specious Arguments, has done infinite Prejudice to the American Cause; and created great Jealousies in your Neighbours Breasts; which, nothing, but your determined Resolution to assist in removing those heavy Burthens, with which they and you are equally oppressed, will effectually heal.—An Union, between the several Colonies in Sentiment and Action, is essentially necessary to their Preservation; and had not my Lord H——h been informed, that we were dis-united in both—he would never have treated the Inhabitants of the Massachusetts-Bay with so much severity; nor the other Colonies with such indignity. His Lordship imagined, from the Disunion of these Provinces, of which no Doubt he has had faithful Intelligence, that Dragooning of *One* would intimidate and silence the *Rest*; and his Judgment was founded upon a plausible Principle.—However, ‘there are things which at some-times even Slaves will not bear;’ and I apprehend his Lordship’s Letter will prove too hard even for you to bear. This Letter is an express Declaration, that the Ministry intend to direct and influence our Assemblies, by threatening them with a Dissolution, whenever they may have the Confidence, contrary to ministerial Mandates, to consult or promote the Safety, Honor and Interest of their Constituents. I hope your Assembly will take the first Opportunity to resent the grossest Indignity ever offered to the Representatives of a free and loyal People, and shew no Symptoms of that Modesty of which Mr. Pitt so justly complained in the House of Commons.—If a B—— M——r imagines he can intimidate an American Assembly, Threats, nay Punishments, will be made use of to execute the most slavish Maxims; and the very

Men, whom we may invest with Power to promote and secure our Interests, will *under such Influence*, effectually ruin us. For what Faith can we repose in our Assemblies, when they do not esteem themselves answerable to us for their Conduct; *but to arbitrary Ministers*, who will always make it their Interests to oppress and enslave us? We had better have no Representatives, if we cannot, when we think proper, instruct and direct them; and, at the same time, have a reasonable Assurance of their obeying our Orders. The People are to all Intents and Purposes, Masters.—Their Representatives are their dignified Servants.—And we shall be justly chargeable with *political Suicide*, if we are stupidly fond of an Establishment, which, on the Principle of *ministerial Supremacy*, will destroy our Civil Existence.

“It is, certainly, a most cruel Dilemma, to be obliged to sacrifice every Thing that is most dear and valuable among Men, or to contend with our Mother Country.—But let us not, in this Case, distinguish Great-Britain from any other Power—To Freemen it must be indifferent, who their Oppressors are—If Britons oppress us, and strive might and main to enslave us—all pretended Ties of ancient Favours, Friendship, Duty, are destroyed: G——B——, France, or any Power on Earth, pursuing the same Measures, ought indiscriminately to be opposed.—I shall conclude this Letter with an historical Fact very applicable to the present Subject.

“The Privernates had been several Times subdued by the Romans, and had as often revolted; but their City was at last retaken by the Consul Plautius—In these distressed Circumstances they sent Ambassadors to Rome, to sue for Peace—Upon a Senator’s asking them what Punishment they thought they deserved; one of them answered, ‘That which is due to Men who think themselves worthy of Liberty.’ Then the Consul asked them, whether there was

any Room to hope, that they would observe the Peace, if their Fault was pardoned? 'The peace shall be perpetual between us,' replied the Ambassador, 'and we shall faithfully observe it, if the Conditions you lay upon us are *just* and *reasonable*; but if they are *hard* and *dishonorable*, the peace will not be of long Continuance, and we shall very soon break it.'

"Though some of the Senators were offended at this Answer, yet most of them approved of it, and said that 'it was worthy of a *Man* and of a Man that was *born free*.' acknowledging therefore the Force of the Rights of human Nature, they cried out, that 'those alone deserved to be Citizens of Rome, *who esteemed nothing in comparison of Liberty*.' Thus the very Persons, who were at first threatened with Punishment, were admitted to the Rights of Citizens, and obtained the Conditions they wanted; the generous Refusal of the Privernates to comply with the Terms of a dishonourable Treaty, gained them the Privilege of being incorporated into a State, which at that Time could boast of the bravest, and most virtuous Subjects in the Universe."







A PETITION  
FROM THE  
ASSEMBLY OF PENNSYLVANIA  
TO THE  
KING.

DRAWN BY  
JOHN DICKINSON.

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MARCH 9, 1771.





## NOTE.

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DICKINSON's course in opposing the petition to the King in 1764, to make Pennsylvania a royal colony, was so unpopular that it resulted in his defeat as a candidate to the Assembly in the October election of 1766; and from that time, till the election of 1770, the influence of Galloway was strong enough to secure his exclusion from that body. But the questions over the colonial charter became less important, while the greater questions of the relation of the colonies to the parent state became more and more vital. This change brought Dickinson once more into popular favor, and despite Galloway's opposition, he was elected to the Assembly from the City of Philadelphia, in October, 1770.

Led by Galloway, that body had hitherto taken what the extremists had deemed a very lukewarm attitude. It had paid no heed to the Massachusetts circular letter, or the Virginia resolutions of May, 1768. Indeed, Lord North, in Parliament, praised Pennsylvania for having "behaved with more moderation than the other colonies." The Assembly had indeed in 1768 voted a petition to parliament, denying to that body the right of taxation, (which was drawn by Allen with the aid Dickinson, according to *Stillé*,) but it had otherwise taken no action since the passage of the Stamp Act resolutions of 1765. Dickinson's election, however, marked a momentary change of party power, and this was quickly shown by the Assembly's transmitting, on his motion, another petition, though that sent three years before remained still unnoticed. How far the petition conformed to the draft Dickinson prepared, cannot be ascertained, as the draft was recommitted for amendment.

The history of this petition is recorded in the *Votes and Proceedings*, (VI) as follows:

Upon Motion by a Member, [Feb. 4, 1771].

That Part of the Duties imposed by a late Act of Parliament on certain Articles imported into the Colonies, remains unrepealed, and that great Danger to the rights of the *Americans* is justly apprehended

from the Continuance of such a precedent for taxing them without their Consent.

Ordered, That Mr. Fox, Mr. Dickinson, Mr. Browne, Mr. Morton, Mr. Carpenter, Mr. Swope, Mr. Montgomery and Mr. Edmunds be a Committee to prepare and bring in a Draught of a Petition to his Majesty in Council, humbly praying Relief, by his gracious Interposition with the Parliament for obtaining a Repeal of the Duty remaining on Tea &c. imported into the *American* colonies. . . .

The House resumed the Consideration of the Draught of their Petition to his Majesty, and after some Time spent therein, Objections arising to particular Paragraphs thereof, the said Draught was recommitted to the Committee that brought it in, for Alteration. . . .

The Committee to whom the Petition to his Majesty was recommitted for Amendment, reported the same with some Alterations, which were read by Order, and referred to further Consideration. . . .

The House resumed the Consideration of their intended Petition to his Majesty, and after some Time spent therein, adjourned to Three o'clock, P. M. . . .

The House proceeded in the Consideration of their Petition to the King, which being again read, and debated by Paragraphs, was ordered to be transcribed. . . .

The Petition to his Majesty being transcribed according to Order, was compared at the Table, [and] signed by the Speaker. . . .

This Petition was adopted March 9, 1771, under which date it is printed in the *Votes and Proceedings*, (VI, 299).

EDITOR.





## A PETITION.

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TO THE KING'S MOST EXCELLENT MAJESTY.

The Petition of the Representatives of the Freemen of the Province of Pennsylvania. Most humbly sheweth,

That we your Majesty's faithful Subjects, the Representatives of the Freemen of Pennsylvania, in General Assembly met, humbly ask Permission to offer to your Royal Wisdom our dutiful Supplication.

In our last Petition to your Majesty, we prayed Relief of a Grievance, which the good People of this Province suffered, by Duties being imposed upon them by Act of Parliament, for the sole Purpose of raising a Revenue; and though that Act has been repealed as to Part of these Taxes, yet the Duties on Tea, and other enumerated Goods, not made in Great-Britain, but from thence exported to these Colonies, are still retained with Intent, as we have great Reason to fear, of establishing thereby a Precedent for repeating such Taxations upon us hereafter.

Thus we lose Possession of Part of our Property, and the Title to the Remainder becomes extremely precarious: For as we cannot, from our Situation, be in any Manner represented in Parliament, your Royal Wisdom will perceive that we can call nothing our own, which others assume a Right to take from us, without our Consent.

The Aggrievance still continuing notwithstanding the late Repeal, our Confidence in your Majesty's transcendent Goodness, induce us to hope, that through your gracious Interposition we may yet obtain Redress.—If we attempted to promote Innovations, we might deserve Censure. We only endeavour to avoid them.—We presume not to request the Grant of any new Right in our favour, nor any

Diminution of the Royal Prerogative ; but only to be restored to that which we constantly till of late enjoyed,—the invaluable exclusive Privilege of demonstrating our Affection for our Sovereign, and our Duty to his Government, as heretofore, by voluntary Gifts of our Property to him.

This Privilege, repeatedly recognized by your Majesty and former Kings and Parliaments, our Ancestors transmitted inviolate to us, we possessed it without Abuse, and have lost it without Offence : For we beg Leave to assure your Majesty, that none of your Subjects are or can be more affectionately and firmly attached to your Majesty's Person, Family and Government, than your faithful People, the Inhabitants of Pennsylvania.

Most gracious Sovereign,

Fully confiding, that your Majesty will always make the Preservation of the Constitutional Rights of your Subjects a principal Object of your Attention, and that your Royal Disposition delights in the Freedom and Happiness of your People, We most humbly and earnestly implore your Majesty, by your Royal Authority, Influence, and Recommendation, to procure us Relief from the Grievance now most respectfully represented.

Signed by Order of the House,

JOSEPH GALLOWAY, Speaker.

Philadelphia, March 5, 1771.



TWO LETTERS

ON THE

TEA TAX.

BY

JOHN DICKINSON.

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NOVEMBER, 1773.







## NOTE.

The first of these letters was printed in the *Pennsylvania Journal* for Wednesday, Nov. 3, 1773, with the following introduction :

*Messrs. BRADFORDS*

*Please to insert the following Extract of a Letter to a Gentleman of this City, in your paper, and you will oblige your humble servant,*  
*Y. Z.*

The second letter was printed as a broadside, the lining of the headlines being :

A Letter from the Country, / To a Gentleman in Philadelphia. /  
[signed] Rusticus. [Folio. Broadside.]

This was reprinted in New York, backed, by the "Association of the Sons of Liberty," the committee of which supplied a prefatory note, as follows :

The celebrated Pennsylvania Farmer, having been frequently called upon in public, to give his Sentiments relative to the Measures that should be adopted to Baffle the present Design of the Ministry, and the India Company to enslave America, He is, from the stile, and other Considerations, supposed to be the Author of the following Letter, published in Philadelphia, which is re-published for your information. And its material to observe, that he recommends to the Inhabitants of that City, to pursue the same Steps which have been taken here, by the Association of the Sons of Liberty, of this City ; a copy of which you have on the other side. Many of the respectable Inhabitants have already signed it, and those who are disposed to give a decent and firm opposition, to the Design of enslaving the Colonies, are hereby invited to accede to it.

The Committee of the Association.

New York, December 4, 1773.

This broadside was headed :

A Letter from the Country, to a Gentleman in Philadelphia : / My Dear Friend [signed] Rusticus. [Folio. Broadside.]

EDITOR.





## A LETTER.

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SIR,

"I RECEIVED your favor, inclosing the Act of Parliament, passed this year, to allow a drawback of the duties of customs on the exportation of Tea to any of his Majesty's colonies or plantations in America, &c.

"Can it be possible that any person of common understanding, upon reading this Act, should take up an opinion that the Tea sent to America by the East-India Company was discharged from the duty of *three pence* per pound, which the Act passed in the year 1767, for the purpose of raising a revenue in America, ordered to be paid on its being landed here. To my view, and I think I have read the Act with some attention, there is not the least foundation, on which, to ground such an opinion. This Act relates altogether to the duties of customs payable in England, and for the payment of which, the East-India Company are obliged, by sundry Acts of Parliament, to give security, under the common seal; but it has not the least reference to the duty payable here, which was laid for the purpose of taxing the Americans.

"From the recitals in this Act it appears, that by former Acts of Parliament certain duties were imposed upon all Teas imported by the East-India Company,—that the Company were obliged to give security for the payment of those duties, so soon as their Teas are sold, and were obliged to sell their goods, openly and fairly, by way of auction, or by inch of candle, within the space of three years from the importation,—that the persons, who purchased at these sales, were obliged within three days after the sale, to deposit with the Company 40s. for every tub

& chest, under certain terms and conditions,—and that upon exporting it to Ireland and America, there was granted, for a certain limited time, a drawback of three-fifth parts of the several duties of customs, which were paid upon the importation.

“Let us now review this Act, which is made expressly for the benefit and advantage of the East-India Company. In the first paragraph, instead of three-fifths, the whole of the duties payable upon the importation is to be drawn back from all Teas bought at the Company’s Sales and exported to America. But lest this encouragement should increase the number of purchasers and exporters, and thereby prevent the Company from reaping the advantages of the monopoly intended for them by this Act. It is provided in the next paragraph, that every buyer, instead of 40s. shall deposit *four pounds*. The third paragraph points out a way, whereby the Company, instead of exposing their Teas to sale, may be enabled to export them to any ports beyond the seas; and the paragraph following relieves them from the security given for the payment of duties, and provides, that they may *export* their Tea without paying any duty, or as the Act expresses it, ‘discharged from the payment of any customs or duties whatsoever.’ But no provision is made to discharge these Teas from the duty ordered to be paid upon their being *imported* into America. This is an objection never bro’t into view by this Act, that the custom or duties from which the Teas are here discharg’d, are no other than those, for the payment of which, the Company were obliged to give security, appears plainly by the proviso, which immediately follows, whereby the Collector and Comptroller are authorized, upon certain conditions, to write off and discharge the quantity of Tea so exported, from the warrent of the respective ship in which such Tea was imported.”

Fair-view, October 30, 1773.



MY DEAR FRIEND,

I AM very sorry for the Piece of Intelligence you were pleased to communicate to me in your last. *Five Ships*, loaded with TEA, on their Way to *America*, and this with a View not only to *enforce* the *Revenue Act*, but to *establish* a *Monopoly* for the *East-India Company*, who have espoused the Cause of the Ministry; and hope to repair their broken Fortunes by the Ruin of *American* freedom and Liberty! No Wonder the Minds of the People are exasperated, as you say, to a degree of Madness. The Scripture tells us: "*Oppression will make a wise Man mad.*" And when Insolence is joined with Oppression, I should deem him not far from a Fool or Idiot, who did not feel a degree of Madness. Pray have you heard, whether *they* and the *Minister* have not *made a Property* of US, and whether WE, our WIVES and CHILDREN, together, with the HARD EARNED FRUITS OF OUR LABOUR, are not *made over* to *this* almost *bankrupt Company*, to augment their Stock, and to *repair* their *ruined Fortunes*? Justice seems to have forsaken the old World. Three public Robbers in *Europe* have taken Possession of a neighbouring Kingdom, and divided among themselves as lawful Booty. The Rights of free States and Cities are swallowed up in Power. Subjects are considered as Property. If I am well informed, not longer ago than last Year, a Company of Merchants in *Spain* purchased from the King the exclusive Right of the Trade of one of the most considerable Islands in the *West Indies*, and to indemnify themselves for the Purchase Money, are now carrying on that Trade in a Manner that must ruin every Inhabitant of that Island. Are we in like Manner to be given up to the Disposal of the *East-India Company*, who have now the Assurance to step forth in Aid of the Minister, to execute his Plan of enslaving *America*? Their conduct in *Asia*, for some Years past, has given ample

Proof, how little they regard the Laws of Nations, the Rights, Liberties, or Lives of Men. They have levied War, excited Rebellions, dethroned lawful Princes, and sacrificed Millions for the Sake of Gain. The Revenues of mighty Kingdoms have centered in their Coffers. And these not being sufficient to glut their Avarice, they have, by the most unparalleled Barbarities, Extortions and Monopolies, stripped the miserable Inhabitants of their Property, and reduced whole Provinces to Indigence and Ruin. Fifteen hundred Thousand, it is said, perished by Famine in one Year, not because the Earth denied its Fruits, but this Company and its Servants engrossed all the Necessaries of Life, and set them at so high a Rate, that the Poor could not purchase them. Thus having drained the Sources of that immense Wealth, which they have for several Years past been accustomed to amass, and squander away on their Lusts, and in corrupting their Country, they now, it seems, cast their Eyes on *America*, as a new Theatre, whereon to exercise their Talents of Rapine, Oppression and Cruelty. The Monopoly of Tea, is, I dare say, but a small Part of the Plan they have formed to strip us of our Property. But thank GOD, we are not Sea Poys, nor Marattas, but *British Subjects*, who are born to Liberty, who know its Worth, and who prize it high. We are engaged in a mighty Struggle. The Cause is of the utmost Importance, and the Determination of it will fix our Condition as Slaves or Freeman. It is not the paltry Sum of Three-Pence which is now demanded, but the Principle upon which it is demanded, that we are contending against. *Before we pay any Thing, let us see whether we have any Thing we can call our own to pay.*

HITHERTO the dispute has been carried on with a Spirit, Temper, and Moderation, that must prove us worthy to enjoy that Liberty, for which we contend. And I hope and earnestly wish, that the Prudence we have hitherto

exercised, may not be borne down by the Indignation which you say is so justly and universally kindled at these insolent Intruders. I am very sensible how the Spirit of a Man rises, when unworthy Agents are used to destroy him. It is something of Consolation to be overcome by a Lion, but to be devoured by Rats is intolerable.

BUT, my dear Friend, it is not only the cause, but our Manner of conducting it, that will establish our Character. The Happiness and Prosperity both of the Colonies and of *Great-Britain* depend upon an intimate Union & Connexion. This Union, it is true, depends upon Freedom. For without Freedom there can be no Confidence. Without Confidence no Affection; and without Affection, considering our Situation and Distance from *Britain*, the Union between this Country and that cannot long subsist. To preserve, therefore, that Union, and promote the Happiness and Prosperity of both Countries, let us resolve to maintain our Liberty. But in doing this, when any Difference arises, as on the present unhappy Occasion, let us act so as to leave Room for a Return of the old good Humour, Confidence and Affection, which has subsisted between *Great-Britain* and this Country, since the first settlement of the Colonies.—

I HEAR a Buz among my Neighbours, that the *East-India Company's* Tea is to be guarded by Men of War, and landed by a Military Force; that the Reason, why the General did not come to review the Troops in your City, was, lest in his Absence the Tea should arrive in *New York*, and his Presence might be necessary to land and protect it. Though I have no Doubt but this Company, hackneyed as they are in Murders, Rapine and Cruelty, would sacrifice the Lives of Thousands to preserve their Trash, and enforce their measures; yet I can hardly persuade myself that the Ministry are so mad, as to give Orders, at the Hazard of losing the Affection of the *Amer-*



*icans*, to preserve that, which, considering the Time it has already lain in the *East-India Company's* Ware-houses, must already be in a perishing State.

BUT should that be the Case, let us disappoint their Malice. We have yet a command of our Persons. Our Houses, Stores and Wharves are at our own Disposal. Resolve, therefore, nobly resolve and publish to the World your Resolutions, that no Man will receive the Tea, no Man will let his Stores, nor suffer the Vessel, that brings it, to moor at his Wharf, and that if any Person assists in unlading, landing or storing it, he shall ever after be deemed an Enemy to his Country, and never be employed by his Fellow Citizens. I am sure, from what I have formerly known of our PORTERS, there is not a Man among them, that will lend a Hand; and I question, whether among the whole Class of *Labourers* that ply about the Wharves, there will be found One, who would not rather go without his Dinner than, for double Wages, touch the accursed Trash. Believe me, my Friend, there is a Spirit of Liberty and a love of their Country among every Class of Men among us, which Experience will evince, and which shew them worthy the Character of free-born *Americans*.—It is a Question with me, from what I have seen among the *Troops*, whether any Thing less than the last Exertion of military Discipline will prevail on one Soldier, who has been but one Year in this Country to lend a Hand to unload or store the Tea. I am sure there is not a Recruit enlisted here, who would not rather desert, than be compelled to do an Act, which will render him odious to his Countrymen. Besides, it is not to be supposed, that a GENTLEMAN SOLDIER, will *submit* to the indignity of becoming a *Porter* to the *East-India Company*. And as to the *Commissioners*, appointed to receive this Tea, notwithstanding you tell me the Answer of one House was not satisfactory; yet from the Knowledge I have of the Gentle-



men, that compose that House, I would venture my Life, they prefer the Esteem of their Fellow-Citizens above the Honour or Emolument of being Servants to that infamous Company. But should they undervalue your Esteem, be assured they will not hazard your Resentment.

CONFIDE, therefore, in each other. Be firm, be prudent, And may GOD prosper your Endeavours, and enable you to transmit to your Posterity that Freedom derived from your Ancestors.—

I DID not think Politics would have reached this Retreat I have chosen; but you have called on me for my Sentiments, and when our Country is in Danger, no Man ought to excuse himself. I have trepassed too long on your Patience. I shall therefore conclude with a Proposal that your Watchmen be instructed as they go their Rounds, to call out every night, *past Twelve o' Clock, beware of the East-India Company.*

I am, with sincere Affection, Your's,  
RUSTICUS.

*Fairview, Nov. 27, 1773.*





LETTERS  
TO THE  
INHABITANTS  
OF THE  
BRITISH COLONIES.

BY  
JOHN DICKINSON.

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MAY, 1774.







## NOTE.

In Charles Thomson's letter to W. H. Drayton (Stillé's *Dickinson*, 341), he stated :

"When the controversy was again renewed between Great-Britain and America in the year 1772, the merchants of Philadelphia, who first took the alarm at the attempt of introducing tea to America through the medium of the East India Company, were anxious to engage [Dickinson] in the dispute. But from this he was dissuaded by one of his most intimate friends, who seemed to be persuaded that this new attempt of the Ministry would lead to most serious consequences, and terminate in blood, and who therefore wished him to reserve himself for till matters became more serious. For this reason he was not publicly concerned in the measures taken for sending back the tea. But in the spring of 1774, as soon as the Boston Port Bill, &c., his friend, who had taken an active part in the measures for sending back the tea, immediately communicated to him the intelligence, and gave his opinion that now was the time to step forward. The measures proper to be pursued on this occasion were secretly concerted between them, and to prepare the minds of the people Mr. D. undertook to address the public in a series of letters."

Thomson also wrote to David Ramsay (*New York Historical Society Collections* for 1878, 221):

"In order to awaken the attention of the people, a series of letters were published, well calculated to raise them to a sense of their danger and point out the fatal effort and consequences of the late acts of Parliament and the plans of the British Ministry."

Even before finding these two references to this series of letters, I had been led by their style and argument to ascribe them to Dickinson's pen. They were printed in the *Pennsylvania Journal* under date of:

Letter I.	Vol. XVI. No. 1642.	May 25, 1774.
Letter II.	" " " 1643.	June 1, 1774.
Letter III.	" " " 1644.	June 8, 1774.
Letter IV.	" " " 1645.	June 15, 1774.

EDITOR.





## LETTERS.

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### LETTER I.

*To the INHABITANTS of the BRITISH COLONIES in AMERICA:*

BRETHREN, Divine Providence has been pleased to place us in this age and country under such circumstances, as to be reduced to the necessity of chusing one of these conditions—either to submit to the dominion of others, holding our lives, liberties, and properties, by the *precarious tenure* of their Will—or, to exert that understanding, resolution and power, with which Heaven has favoured us, in striving to maintain our rank in the class of Freemen.

The importance of these objects is so immensely great, and the treatment of one of these Colonies so extremely alarming, as to call for your most earnest and immediate consideration.

The subject of the present dispute between Great Britain and us, is so generally understood, that to enlarge upon it is needless. We know the *extent* of her claims. We begin to feel the *enforcement* of those claims. We may foresee the consequences of them; for, reason teaching us to infer actions from principles, and events from examples, should convince us, what a perfection of servitude is to be fixed on us, and our posterity. I call it perfection—because the wit of man, it is apprehended, cannot devise a plan of domination more compleatly tending to bear down the governed into the lowest and meanest state of society, than that now meditated, avowed, and in part executed, on this Continent.

If this system becomes established, it may, with truth,

be said, of the inhabitants of these Colonies, "that they hold their lives, liberties, and properties, by the precarious tenure of the Will of others."\*

Allowing the danger to be real—At the prospect of so abject and so lasting a subjection,—What must be the sentiments of judicious & virtuous Americans? They will quickly determine whether the first part of the alternative should be adopted.

Here arguments would be absurd. Not more ridiculous would be an attempt to prove, vice preferable to virtue—The climate of *St. Vincent* more pleasant than that of *Pennsylvania*—The natives of *Indostan*, under the government of the *East-India Company*, as happy as English Freeholders—Or the inhabitants of Great Britain more loyal subjects, than those of the Colonies.

That Liberty is inestimable—and should, if possible, be preserved—you *know*. To pretend to convince you of the truth of the former proposition, or of the duty of the latter, would be to insult you.

You must be, you are resolved, to observe the properest conduct, for securing your best and dearest interests. What *that* may be, deserves—demands—your closest attention—your calmest deliberation.

On this head I venture to submit some observations to your consideration. I am, by every tie of interest and duty, an *American*; and, unless my heart deceives me, I am an *American* in affection. My fortunes, hopes, and wishes are bound up in your prosperity. With my countrymen I must mourn or rejoice; and therefore, though I am perfectly sensible I cannot present to them reflections arising from great abilities, or extensive learning, and

\* "*Non nobis nati sumus. It is for our posterity we desire to provide—that they may not be in worse case than viliains. For a FREEMAN to be a TENANT AT WILL for his LIBERTY! I will not agree to it. It is a tenure not to be found in all Littleton. Speech of Sir Edward Coke, Lord Chief Justice. Parliamentary Hist. Vol. 8. Page 61.*



adorned by elegance of composition, yet I trust they will lend a careful and candid attention to plain thoughts, dictated by honest intentions, and a participation of afflictions. Aiming solely at your welfare, and not at the trifling reputation of a writer; far be from me the overweening presumption, that my opinions are free from error. Conscious of my frailties, I desire those opinions to be severely examined. The correction of them will confer a real obligation upon me, if it serves my country; and happy shall I esteem myself, if the detection of my mistakes shall open to you a clear view of the most expedient measures to be pursued.

There are some men who say, that the late act of Parliament, abolishing the privileges of the port of Boston, was occasioned by the particular imprudence of the inhabitants, and in no manner concerns the other colonies.

To form a true judgement on this point, it will be proper to take a short review of some other transactions.

Great Britain triumphant by your assistance in the late war, found at the conclusion of it, by a peace hastily bestowed on her haughty and hereditary foes, her dominions enlarged,—her fleets formidable,—her armies disciplined,—her trade flourishing—her enemies intimidated and exhausted—her colonies thriving, affectionate and dutiful.

The cup of prosperity, large and full, courted her lips. Deep she drank of the enchanted beverage, as if the vessel like the cruise of *Sarepta's* widow, could not fail. After a short, but feverish repose, she roused herself, may I say—as one of *Homer's* Giants—A race—

“By whom no statutes and no rights were known,”

to injure those who never injured her.

She had conquered her *enemies*. That other kingdoms had done. Should no exploits of a more transcendent energy illustrate the annals of *George* the Third? No achievements, so shockingly great and advantageous, that

even the pensioned Historians of the animated era must weep in tracing them, and blush in reciting them? Luckily for her fame—*perhaps for her profit*—the near-sighted policy, and low-spirited humanity of every state, in every period, had left untouched, for her, the novel glory of conquering *friends—Children—Flesh of her flesh, and bone of her bone*, unstained by any former reproach,—resting in perfect tranquility, acknowledged loyal and actual obedient to every kind of authority hitherto by her exercised over them,—perpetually pouring into her lap those fruits of her industry, which she would permit them to collect from the different parts of the world.—Proud of their connection with her,—confiding in her—loving—revering—almost adoring her—and ready and willing, as they ever had been, to spend their treasure and their blood at her request—in her cause.

\* “*Parcere superbus, and debellare subjectos*” was a thought that had escaped the sagacity of Statesmen, and even the fancy of Poets. The subtlety of *Machiavel’s* Italian brain had missed it—and no Bœotian had blundered upon it.

The temptation was too great to be resisted. The parent resolved to *seize that treasure*, and if not tamely resigned, to *spill that blood*, herself. “† *O sapiens et beata regina.*”

The greatest † Ministers, who had heretofore conducted

\* “*To spare the proud ; and to subdue the subject.*”

† “*O wise and happy Queen.*”

‡ “*Sir Robert Walpole and any other Minister to whom the project of taxing the Colonies was mentioned, rejected it.*

“*When I had the honor of serving his Majesty I availed myself of the means of information, which I derived from my office. I speak, therefore, from knowledge. My materials were good, I was at pains to collect, to digest, to consider them ; and I will be bound to affirm, that the profit of Great Britain from the trade of the Colonies, through all its branches, is two millions a year. This is the fund that carried you triumphantly through the last war. The estates that were rented at two thous-*

her affairs, had discovered and declared, that we were continually toiling for her benefit—that she was *sure* of receiving, in the course of commerce, all those emoluments of our labor, which reason could require—and therefore, tenderly cherished and supported us. Notions too dull! And advantages too just! to merit the slightest regard from his Majesty's enlightened and magnanimous Councillors.

"They lavish gold out of the bag, and weigh silver in the balance—they fall down, yea, they worship (them)—remember this and show yourselves men." Isaiah ch. 46.

P. P.

## LETTER II.

### *To the INHABITANTS of the BRITISH COLONIES in AMERICA.*

Brethren, It is not my design to travel through all the ministerial manœuvres respecting us, since the commencement of this Reign. It is not necessary. Sufficient, I trust, it will prove, to lay before you such a series of correspondent facts, as will thoroughly convince you,—that a plan has been deliberately framed, and pertinaciously adhered to, unchanged even by frequent changes of Ministers, unchecked by any intervening gleam of humanity, to sacrifice to a passion for arbitrary dominion the universal pro-

*and pounds a year three score years ago, are three thousand pounds at present. Those estates sold then from fifteen to eighteen years purchase; the same may now be sold for thirty. You owe this to America. This is the price that America pays you for her protection. I dare not say how much higher these profits may be augmented—upon the whole I will beg leave to tell the House, what is really my opinion; it is that the Stamp-Act be repealed absolutely, totally, and immediately. That the reason for the repeal be assigned, because it was founded on an erroneous principle."*

MR. PITT'S SPEECH.

*All the most distinguished writers on the trade of Great Britain, previous to the present Reign, held a language entirely agreeing with Mr. Pitt's sentiments. See Davenant, Child, Tucker, Beawes, Postlewaite, &c.*

erty, liberty, safety, honor, happiness and prosperity of us unoffending, yet devoted Americans—And that every man of us is deeply interested in the fate of our brethren of *Boston*.

If such a series is not laid before you, the combined force of which shall tear up by the roots, and throw out of your bosoms every lurking doubt, censure me as an enthusiast too violently warmed by a sense of the injustice practised against my beloved country.

The danger of a father's life once racked words from a dumb son. Worse than death, in my view, threatens our common mother. Pardon, therefore, a brother's imperfections.

Amidst a volume of institutions called Regulations—wrong at first—corrected into other errors—again corrected—still requiring Regulation—and remaining after all their editions if not like *Draco's* codes of blood, yet codes of plunder—confounding by the intricacy and multiplicity of their inventions—and confiscating for having confounded\*—appears the fourth of *George the Third*, Chap. 15th, styled "An Act for granting certain duties in 'the British Colonies and Plantations in *America*, &c." This was the first comet of this kind, that glared over these Colonies since their existence. Here first we find the Commons of *Great Britain* "giving and granting"

\* Omitting the immense increase of people, by natural population, in "the more northern Colonies, and the migration from every part of *Europe*, I am convinced the whole commercial system of *America* may be "altered to advantage. You have prohibited where you ought to have "encouraged, and you have encouraged, where you ought to have prohibited. Improper restraints have been laid on the continent in favor "of the islands. You have but two nations to trade with in *America*. "Would you have twenty? Let Acts of Parliament in consequence of "trade remain, but let not an English Minister become a Custom- "House Officer for Spain or for any foreign power. Much is wrong, "much may be amended or for the general good of the whole. Mr. "Pitt's Speech.



our money, *for the express purpose* of "raising a Revenue in America."

We, busy in guiding our ploughs, felling our timber, or sailing in the circuits of traffic prescribed us, and still veering like Bees to their hive, with millions of our gains, to *Great Britain*, the center of our toils by land and sea, poor harmless Husbandmen and Traders! scarce observed the blow given us. Our hearts filled with confidence by contemplating the pleasing images of her generous distinguished virtues, from the splendor of which in our judgment, those of ancient *Greece* and *Rome* hid their diminished heads—suspicion could find no entrance. We saw, in the preamble, something of the usual forms "for extending and securing navigation and commerce," were lulled into security, nor could suppose the stroke was aimed at our vitals. An infant that had trotted along a directed walk in a garden, and loaded with flowers had presented them to a mother, would as soon have expected to be knocked down by her.—

Not long were we suffered to enjoy our tranquility. The 5th of *George* the Third, Chapter the 12th, the ever memorable Stamp-Act, quickly followed. By this, reciting the former act, the Commons of *Great Britain* "gave and granted" duties, so called, of our money on almost every piece of parchment, vellum or paper to be used in these Colonies, and declared every instrument of writing without a stamp to be void. Tax gatherers of a new kind were appointed to collect these duties. The petitions of our Assemblies previous to its passing, on notice received of the design, asserting our rights, and supplicating a respect for them, were treated with contempt. You remember the time and its distress. You behaved as you ought.\*

\*"I rejoice that America has resisted. Three millions of people, so 'dead to all the feelings of Liberty, as voluntarily to consent to be 'Slaves, would have been fit instruments to make Slaves of the rest.  
"Mr. PITT'S Speech.

Convinced that a people who *wish* to be free, must *resolve* to be free, you abolished the "abominable thing"—and proceeded in your usual business without any regard to the illegal edict obtruded upon you.

Permit me to add two observations, relating to remarkable attendants on the Taxation comprised in that Act, the memory of which is perhaps grown faint, from length of time, in some minds.

By the Statutes granting stamp duties in *England or Great-Britain*, especial caution has been taken, that nothing more should be levied upon the subject, under any pretence whatsoever, than the duties themselves. These words run through those Acts—"That the Officers shall receive the several duties—and stamp and mark the vellum, parchment, and paper, &c., *without any other fee or reward*—which stamp or mark shall be a sufficient discharge for the respective duties, &c." And "the Commissioners shall take care that the several parts of the kingdom shall, from time to time, be sufficiently furnished with vellum, parchment and paper, stamped and marked as is directed, TO THE END, that the subjects, &c. MAY HAVE IT IN THEIR ELECTION, *either to buy* the same of the Officers and persons to be employed, &c. at the *usual and most common* rates above the said duties, *or to bring* THEIR OWN vellum, parchment, or paper to be stamped or marked as aforesaid."\*

Was the Stamp-Act for *America* like those Statutes? Judge. By this it is enacted "that the High Treasurer, or any three or more of the Commissioners of the Treasury shall once in every year SET THE PRICES, at which all sorts of stamped vellum, parchment, and paper, shall be sold, &c."

The stamps were kept in *England*. Ship loads of "all sorts of stamped vellum, parchment, and paper" were

\*5 and 6. Will. and Mar. ch. 21. 30th G 3d. ch. 19. and other statutes.

sent over to us. We had no *choice* either to take these or to carry other vellum, parchment or paper to be stamped. We must not only have paid the certain duties imposed, but the uncertain "prices," which the Commissioners should please to "set" for the value of their "vellum, parchment, and paper;" and "penalties and forfeitures" fell upon us, every step we took, without paying these *impositions*. This surely was not only to be taxed by the Parliament, but over again for the same articles and by the Commissioners.

Here some men whose minds are strongly impressed with ideas of equity, may ask, if it is possible that even a British Parliament should so wantonly degrade us. It is as true, as that the Port of *Boston* is THIS DAY shut up.

The "forfeitures and penalties thereby imposed were to be sued for and recovered in any Court of Record, or in ANY COURT OF ADMIRALTY OR VICE ADMIRALTY, appointed or to be appointed, and having jurisdiction in the respective colony where the offence should be committed, &c."

THIS was no regulation of trade. The facts, to be tried in any dispute, must have arisen on land—within the body of a county—as remote from admiralty jurisdiction, on every constitutional principle, as a suit on a bond, or an ejectment for a freeholder. Yet thus by a few lines, was the inestimable privilege of trial by jury, to be torn from you and your posterity. Thus the decision of the rights of property, not in controversies between man and man, on the question of "*meum vel tuum*," were though wrung by oppression, the wretched loser might draw a degree of consolation by reflecting that he had received some consideration for the substance taken away, or at least that a countryman gained his spoils—but in litigations found on rigid *forfeitures* and arbitrary *penalties*—was to be referred to the incorrupt tribunals of single judges—appointed from another country—filled with its prejudices—

holding their commissions during pleasure—totally independent on you—claiming fees and salaries to be paid out of your money condemned by themselves.\*

\*“When the jury have delivered in their verdict, and it is recorded in court, they are then discharged. And so ends the trial by jury: a trial, which besides the other vast advantages which we have occasionally observed in its progress, is also as expeditious and cheap, as it is convenient, equitable, and certain; for a commission out of chancery, or the civil law courts, for examining witnesses in one cause will frequently last as long, and of course be full as expensive, as the trial of a hundred issues at nisi prius: and yet the fact cannot be determined by such commissioners at all; no, not till the depositions are published and read at the hearing of the cause in court.

“Upon these accounts the trial by jury ever has been, and I trust ever will be, looked upon as the glory of the English law. And, if it has so great an advantage over others in regulating civil property, how much must that advantage be heightened, when it is applied to criminal cases! But this we must refer to the ensuing book of these commentaries: only observing for the present, that it is the most transcendent privilege which any subject can enjoy, or wish for, that he cannot be affected either in his property, his liberty, or his person, but by the unanimous consent of twelve of his neighbors and equals. A constitution, that I may venture to affirm has, under providence, secured the just liberties of this nation for a long succession of ages. And therefore a celebrated French writer,\* who concludes, that because Rome, Sparta, and Carthage have lost their liberties, therefore those of England in time must perish, should have recollected that Rome, Sparta, and Carthage, at the time when their liberties were lost, were strangers to the trial by jury.

“Great as this eulogium may seem, it is no more than this admirable constitution, when traced to its principles, will be found in sober reason to deserve. The impartial administration of justice which secures both our persons and our properties, is the great end of civil society. But if that be entirely entrusted to the magistracy, a select body of men, and those generally selected by the prince or such as enjoy the highest offices in the state, their decisions, in spite of their own natural integrity, will have frequently an involuntary bias towards those of their own rank and dignity: it is not to be expected from human nature, than the few, should be always attentive to the interests and good of the many. On the other hand, if the power of judicature were placed at random in the hands of the multitude, their decisions would be wild and capricious, and a new rule of action would be every day established in our courts.

\* Montesq. Sp. L. xi. 6.



If this be "wisdom" it is not of that kind, the "ways whereof are *past finding out*."

The act, thus revoked by you, received soon after a formal repeal in Parliament. This was done by the 6th of George the Third, Chapter the 11th. Because it was unconstitutional, as we were not and could not be represented there? No. Because it deprived "three millions" of loyal subjects of their darling privilege of trial by jury, "the best preservative of English liberty?" No. Because "the continuance of the said act would be attended with many inconveniences, and might be productive of

"It is wisely therefore ordered, that the principles and axioms of law, which are generally propositions flowing from abstracted reason, and not accommodated to times or to men, should be deposited in the breasts of the judges, to be occasionally applied to such facts as come properly ascertained before them. For here partiality can have little scope: the law is well known, and is the same for all ranks and degrees: it follows as a regular conclusion from the premises of fact pre-established. But in setting and adjusting a question of fact, when intrusted to any single magistrate, partiality and injustice have an ample field to range in; either by boldly asserting that to be proved which is not so, or more artfully by suppressing some circumstances, stretching and warping others, and distinguishing away the remainder. Here therefore a competent number of sensible and upright jurymen, chosen by lot from among those of the middle rank, will be found the best investigators of truth, and the surest guardians of public justice. For the most powerful individual in the state will be cautious of committing any flagrant invasion of another's right, when he knows that the fact of his oppression must be examined and decided by twelve indifferent men; and that, when once the fact is ascertained, the law must of course redress it. This therefore preserves in the hands of the people that share, which they ought to have in the administration of public justice, and prevents the encroachments of the more powerful and wealthy citizens. Every new tribunal, erected for the decision of facts, without the intervention of a jury, (whether composed of justices of the peace, commissioners of the revenue, judges of a court of conscience, or any other standing magistrates) is a step towards establishing aristocracy, the most oppressive of absolute governments. The feodal system, which, for the sake of military subordination, pursued an aristocratical plan in all its arrangements of property, had been intolerable in times of peace, had it not been wisely counterpoised by that privilege, so universally diffused through every part of it, the

consequences greatly detrimental to the commercial interests of" *Great Britain*.

Cool, guarded expressions! Breathing the true spirit of the modern philosophy, so prevailing among the higher ranks in that polished kingdom. How much care to avoid *inconveniences* and *detriment* to their own *commercial* interests! How sovereign a contempt for all agonies, that bowed us down to the earth, while indignation, shame, grief, affection, veneration, and gratitude combated within our hearts! They were advised to speak peace to our souls, by nobly assigning an "*erroneous principle*," for the repeal.\* No. The freedom of *America* is the *Carth-*

*"trial by the feudal peers. And in every country on the continent, as the trial by the peers has been gradually disused, so the nobles have increased in power, till the state has been torn to pieces by rival factions, and oligarchy in effect has been established, though under the shadow of regal government; unless where the miserable commons have taken shelter under absolute monarchy, as the lighter evil of the two. And, particularly, it is a circumstance well worthy an Englishman's observation, that in Sweden the trial by jury, that bulwark of northern liberty, which continued in its full vigour so lately as the middle of the last century,† is now fallen into disuse:‡ and there, though the regal power is in no country so closely limited, yet the liberties of the commons are extinguished, and the government is degenerated into a mere aristocracy.§ It is therefore, upon the whole, a duty which every man owes to his country, his friends, his posterity, and himself, to maintain, to the utmost of his power this valuable constitution in all its rights; to restore it to its ancient dignity, if at all impaired by the different value of property, or otherwise deviated from its first institution; to amend it, wherever it is defective; and, above all, to guard with the most jealous circumspection against the introduction of new and arbitrary methods of trial, which, under a variety of plausible pretences, may in time imperceptibly undermine this best preservative of English liberty."* Blackstone's *Comm.*, 3d Vol., Page 378-381.

\* "*Upon the whole, I will beg leave to tell the Houses what is really my opinion; it is, that the Stamp-Act be repealed, absolutely, totally, and immediately; that the reason for the repeal be assigned, because it was founded on an ERRONEOUS PRINCIPLE.*" *Mr. PITT'S Speech.*

† *Mod. Un. Hist.*, XXXIII., 22.

‡ Whitelocke of *parl.*, 427.

§ *Ibid.*, 17.

*age of Great Britain—delenda est.* Let us repeal the act, but never resign the principle, on which it was founded.

One *generous* step however they did take, becoming *Britons*. It demands our acknowledgments: Nor should we withhold them. Why will they not suffer us to thank them for other favours?

The repealing act spoke an indecisive language, subject to comments, that might differ on different sides of the *Atlantic*. We might have been too much agitated between hopes and apprehensions. It would have been unkind to leave us in such a state of anxiety. It would have been unworthy of a free people, who were determined to subjugate another free people. *Parmenius* may steal victories. *Alexander* scorns it.

Therefore the same day, I think, in which they repealed the Stamp-Act, in the next Chapter, however, they *can-didly* explained to us their sentiments and resolutions beyond possibility of a mistake, by the "Act for the better securing the dependency of his Majesty's dominions in *America* upon the Crown and Parliament of *Great Britain*."

"Lift up thine eyes round about: And behold, all  
"these gather themselves together, AND COME TO THEE:  
"Thou shalt SURELY CLOTHE thee with them all, as with  
"an ornament, and BIND them on thee, as a Bride doth."  
Isaiah, Chapter 49.

### LETTER III.

#### TO THE INHABITANTS OF THE BRITISH COLONIES IN AMERICA.

BRETHREN, These are the words of the declaratory act mentioned in the last letter. "Whereas several of the Houses of Representatives in his Majesty's Colonies and Plantations in *America* have of late, AGAINST LAW,

claimed to themselves, it to the general Assemblies of the same, the sole and exclusive right of imposing Duties and TAXES upon His Majesty's SUBJECTS IN THE SAID COLONIES AND PLANTATIONS: and have in pursuance of such claim, passed certain votes, resolutions, and orders, DEROGATORY TO THE LEGISLATIVE AUTHORITY OF PARLIAMENT, and inconsistent with the dependency of the said Colonies and Plantations, &c. therefore be it declared, &c. that the said Colonies and Plantations in *America* have been, are, and of right ought to be subordinate unto, and dependent upon the imperial Crown and Parliament of *Great Britain*, and that the King's Majesty by and with the advise and consent of the Lord's spiritual and temporal, and Commons of *Great Britain*, in Parliament assembled, had, HATH and OF RIGHT OUGHT TO HAVE, full power and authority to make laws and statutes, of sufficient force and validity to BIND the Colonies and People of *America*, Subjects of the Crown of *Great Britain*, IN ALL CASES WHATSOEVER."

From the crowd of objects, each pressing for attention, that present themselves to the mind of a *British American*, on reading this act, I beg leave to select and particularly mention only two.

The resolutions, &c. mentioned in this act, were those caused by the Stamp-Act. These principal points are firmly asserted in them—the *exclusive right of taxation* and the *right of trial by jury*. The Parliament well knowing how harsh and jarring it would sound in English ears, to say, the right of trial by jury, was "*derogatory to the Legislative authority of Parliament, and INCONSISTENT with the dependency of the Colonies,*" planted their most direct battery against the right of taxation—common sense and the experience of all nations, AS NOT A SINGLE INSTANCE OCCURS TO THE CONTRARY, convincing them, if that gave way, a general ruin would soon ensue, and all



the rest would follow in the train of the chief, like captive *Nobles* attending their conquered *Prince*.

However, not quite satisfied with the slow work of exterminating them in detail, but improving upon an impartial hint, it was judged fittest upon the whole so to consolidate them, that, as if the *British Americans* had but "ONE NECK" a SINGLE *stroke* might dispatch millions—by subjecting us *at once* to the decrees of Parliament, IN ALL CASES WHATSOEVER.

Widely different was the act of the 6th of George the First, Chap. 5th, "for the better securing the dependency of the kingdom of *Ireland*, &c." By that act *Ireland* was declared "to be subordinate unto, and dependent upon the imperial CROWN\* of *Great Britain*." These words "and Parliament" are not it. It is said, indeed, that "the King with advise and consent of the Lords and Commons of *Great Britain*, in Parliament assembled, had, and of right ought to have power and authority to make laws and statutes, of sufficient force and validity, to bind the kingdom and people of *Ireland*."

Compare the Act, and you will find the Act for *America* copied from that of *Ireland*. But in the last mentioned, the annihilating words—"IN ALL CASES WHATSOEVER" are not to be found. The people of *Ireland* have been for several centuries bound by *English* statutes for regulating their trade and for other purposes, and this statute, therefore, only asserted the USUAL authority over them. Their vitals, the exclusive right of taxation, and the right of

\* "A tax granted by the Parliament of England shall not bind those of *Ireland*, because they are not summoned to our Parliament," and "again, "Ireland hath a Parliament of its own and maketh and altereth laws; and our statutes do not bind them, because they do not send Knights to our Parliament: but their persons, are the King's subjects, like as the inhabitants of, Calais, Gascoigny and Guienne, while they continued under the King's subjection." Blackstone, Vol. I., p. 101, from the year books.

trial by jury, have been preserved. If it was the intention of the British Parliament to exercise a "power and authority" over that kingdom, destructive of these rights, it is not expressed—it is not implied. Why were the unlimited words omitted in that Act? Or, why when the Lords and Commons were copying a pattern, which their fathers sent them, did they deform the transcript by such eastern flourishes?

The truth is—the fathers too much revered the English principles, for which they had been upon the point of shedding their blood, in placing their Sovereign on his Throne, so flagrantly to violate them—or, if their conduct was not directed by justice, they dared not thus to provoke the brave, generous inhabitants of that antient kingdom.

*"Are there yet the treasures of wickedness in the house, and the scant measure, that is abominable. The rich men thereof are full of violence."* Micah. ch. VI.—

To P. P. Author of the "LETTERS to the INHABITANTS of the BRITISH COLONIES in AMERICA."—

SIR,

The declaratory Act, passed by the Parliament, at the time they repealed the Stamp-Act, was such a violation of the constitution, such an assumption of new powers, so subversive of Liberty, and so destructive of property, that it deserves particular observation. That it has hitherto passed unnoticed, is owing to the gratitude and joy with which America received the Repeal of the Stamp-Act. For the same reason, the principle, on which the Repeal was founded, was suffered to pass without animadversion; and the people, who claimed the Repeal, as a point of *equity and right*, received it with gratitude as a *free gift*.

The English Constitution, whose object is Liberty, has, for the preserving that Liberty, and for the security of Property, vested peculiar powers in the different

branches of the legislature, which are to be exercised for the good and safety of the subject. *Salus Populi suprema Lex est.* The abuse of these powers, or the attempt of one branch of the legislature to extend its peculiar powers, so as to abridge those of the others, has been the foundation of many civil wars and struggles in Britain.

From the earliest period of the English Constitution, it has been the prerogative of the Crown to grant Charters to the Subjects and terms of Capitulation to conquered countries, who were taken under the dominion of the crown. And the statute of quo warranto 18th of Edw. I. expressly declares, that "*illi qui habent Chartas regales, secundum Chartas istas et earundem plenitudinem judicetur.*" On which statute Lord Coke observes, "in the first place, that as it was enacted, *ex speciali gratia domini Regis, it binds the King,*" and *consequently in binding the King, must also bind his Parliament;* in the second place, from the words *earundem plenitudinem*, that this statute is to be construed "as fully and beneficially for the Charters, as the law was taken at the time when the Charters were granted." In the third place, says he, "certainly this ancient statute was a direction to the sages of the law, for their construction of the King's Charter, as it appeareth in our books."—

On this foundation rests the declaratory act respecting Ireland. When Henry the 2d. conquered Ireland, he granted the Irish peace and annexed them to his Crown on this condition, "That the kingdom and people of Ireland should for ever be governed by the same *mild laws* as England was governed." And the statute passed in the 31 Edward 3d. confirms and renews this charter by declaring that his Majesty's subjects in Ireland, being either natives of that kingdom, or English born subjects only resident there, "*sint veri Anglici, et sub eisdem degant domino et regimine et eisdem legibus utantur.*" And

hence the act of the 6th G. 1. chap. 6, assumes no *new* power, lays no *new* restrictions upon his Majesty's good subjects of Ireland, nor claims any *new* right, but simply declares "that the King's Majesty by and with the advice and consent of the Lords spiritual and temporal and Commons of Great Britain in Parliament assembled HATH *full power and authority* to make law of sufficient force and validity to bind the kingdom and people of Ireland."

Here is no charter violated, no claim of power to deprive them of property or levy taxes on them without their consent. Their Parliament, their right of trial by jury, and of granting supplies to their King in their own way for the support of government, administration of justice, and defence of the kingdom, remain untouched. But the declaratory act passed against America 5 of G. 3, in violation of their charters, declares, that the CLAIM of the House of Representatives in his Majesty's Colonies and Plantations in *America*, to the SOLE and EXCLUSIVE RIGHT of imposing duties and taxes upon his Majesty's subjects in the said Colonies and Plantations is AGAINST LAW; that the votes, resolutions and orders passed in pursuance of such claim are DEROGATORY TO THE LEGISLATIVE AUTHORITY OF PARLIAMENT; that the said Colonies & Plantations in *America* have been, are and OF RIGHT OUGHT TO BE subordinate unto and dependent upon the imperial Crown and PARLIAMENT of *Great-Britain*, and that the King's Majesty by and with the advise, &c. hath and OF RIGHT OUGHT TO HAVE full power and authority to make laws and statutes of sufficient force and validity to BIND the Colonies and People of *America*, Subjects of the Crown of *Great-Britain* IN ALL CASES WHATSOEVER. What is this but with the high hand of power to break down the barriers of the constitution and make us *tenants at will* of our lives, liberty and property.—

There was a time when the Crown held lands in Eng-



land, "sacra patrimonia coronæ," the annual rent of which, if now resumed, would amount to near four millions sterling. These have been conveyed to subjects and are now held by virtue of Charters from the Crown. If the Chartæ regales or Chartered rights of the colonies can be violated and annuled by Parliament, what security can the possessors of those lands have for the estates they enjoy? Let the Parliament try the experiment on their fellow subjects in Great Britain, and judge of the temper and disposition of the colonies, by the effect such a step will produce among themselves.

I am Sir,

A LOYAL AMERICAN,

A. B.

*Errata in 2d Letter.* For this kind read "the kind;" for Alexander scorns it, *r.* "Alexanders scorn;" for prosperity of us, *r.* "posterity of us;" for fees and salaries, *r.* "salaries."

#### LETTER IV.

##### TO THE INHABITANTS OF THE BRITISH COLONIES IN AMERICA.

BRETHREN, The intelligence received, since the preceding letter was written, seems to render needless every attempt to prove from *former transactions*,—my first intention, if health had permitted—that a regular plan has been invariably persued to inslave these Colonies, and that the Act of Parliament for blocking up the port of *Boston* is a part of the plan. However unprecedented and cruel that measure is, yet some persons among us might have flattered themselves, that the resentment of the Parliament is directed sorely against that town. The last advices mention two bills to be passing in Parliament; one changing the chartered constitution of the province of *Massachusetts Bay* into a military government; and another,

empowering administration to send for and try persons in *England* for actions committed in that colony.\*

By these instances we perceive, that administration has not only renounced all respect, and all appearance of respect, for the rights of these colonies, but even the plainest principles of the justice and humanity. Were the representatives of the people of *Massachusetts Bay* called upon to make satisfaction for the damage done to private property in any late tumult there? No. Yet it was known, that those representatives had made ample reparation for the injuries committed on occasion of the Stamp Act. It was known, that the like reparation had been made by the Assembly of *New-York* and *Rhode-Island*. In short, it was known, that notwithstanding the incessant pains taken by many Ministers to tease the colonists by oppressions and insults into madness, yet they have with difficulty excited only a few tumults, for which the popular branch of the legislature in the several colonies has ever been ready to atone, upon requisitions from the crown.

*\* By the first of these bills, the Governor is to be invested with the power of a Justice of the Peace, to call out the military effect, though the Minister says in his speech—"I shall always consider, that a military power acting under the authority and controul of a civil magistrate is A PART OF THE CONSTITUTION."* By the second, Americans are to be seized, confined and carried to England, to be tried—that is hanged, on charges for acts done in a colony. This is not all. Soldiers and others, who shall commit any offence, such as murdering the Colonists, under the pretence of supporting the authority of Parliament, shall be carried to England to be tried—that is—acquitted. Of the Habeas Corpus and Trial by Peers "*stat nominus umbra,*"

*That the absolute power claimed and exercised in a neighboring nation, is more tolerable than that of the eastern empires is in a great measure owing to their having united the judicial power in their Parliaments, a body separate and distinct from both the legislative and executive, and if ever that nation recovers its former liberty, it will owe it to the efforts to those assemblies. In Turkey, where EVERY THING is centered in the Sultan or his Minister, DESPOTIC POWER is in its meridian and WEARS A MOST DREADFUL ASPECT."* 1. *Blackstone* 260, 270.

Great clamour has been raised at home against Massachusetts Bay, on account of resolutions at some of their town meetings, and other writings published in that Colony ; And better it were, that many of them had been suppressed. The truth is—that people animated by an ardent and generous love of liberty saw and peculiarly felt the projects against the freedom and happiness of *America*. I know them well : and if ever a people deserved the character, they are moral, religious, quiet and loyal, affectionately attached to the welfare and honor of *Great Britain*, and dearly valuing their dependence on her. Sensible and observant, as they were, of the present and approaching evils, some of them adopted a very peaceable and justifiable method of discouraging Administration from proceeding in such alarming and dangerous measures,—that of speaking in a high tone. Words were opposed to injuries, and menaces, never designed for execution, to insults intolerable. What could they do? Their *petitions* were haughtily and contemptuously rejected. The more they *supplanted*, the more they were *abused*. By their tears, and Heaven knows many they have shed, their persecutions flourished, as trees by water poured on their roots. Their very virtue and passionate fondness for concord with their Mother-Country, occasioned this objected error. “Surely,” says Solomon, “oppression maketh a wise man mad.” A silly man may disregard it. Their folly shewed their wisdom. This is the true history of those futile pieces, that produced so much furious eloquence in *Great-Britain*.

Riots and weak publications, by some individuals, are sufficient reasons with Parliament to ruin many thousand inhabitants of a truly respectable town, to dissolve charters, to abolish the benefits of the writ of *habeas corpus*, \*

\* Both Houses of Parliament resolved two or three years ago, that persons might be sent for from any of the Colonies for acts done there, and



and extirpate American liberty—For the principle reaches all. But in *England* the press groans with publications, seditious, treasonable and even blasphemous. The discontented swarm over the kingdom, proclaiming their resentments. Many enormous riots have disturbed the public peace. The sovereign has been insulted in passing from his Palace to the Parliament-house, on the business of the nation. Is it to be concluded from these facts, that the BODY OF THE PEOPLE is seditious and traitorous? Can his Majesty believe, that he is thought by his English subjects in *general* to be such a Prince, as some of them have represented him? Will the two Houses of Parliament acknowledge what has been spoken and written and acted against them in *England*, expresses the sentiments of the *kingdom*? Or will they say, that the *People of England* have forfeited their liberty, because *some of them* have run

*tried in England under the old statute of Henry the 8th—made before the Colonies existed. The late Court at Rhode Island was established on that principle. The intention of Parliament in passing the bill above mentioned is chiefly to screen persons acting in support of their unconstitutional claims. They have declared, they have no doubt but that the 35th of Henry has established a just and legal mode of cutting American throats.*

*"I can live, altho' another who has no right, be put to live with me; nay, I can live altho' I pay Excises and Impositions more than I do; but to have any LIBERTY, which is the SOUL of my LIFE, taken from me by POWER, and to have my body pent up in a gaol, (then thrown into a ship of war, transported three thousand miles across the ocean, to a land of bitter, selfish, furious and revengefull Enemies, there thrust in the jaws of Dungeons,) without remedy by law, and to be so adjudged; O improvident Ancestors! O unwise Forefathers! to be so curious in providing for the quiet possession of our Laws and liberties of Parliament, and to neglect our persons and bodies, and to let them lie in prison, and that durante bene placito, remediless! If this be law, why do we talk of Liberties? Why do we TROUBLE ourselves with a dispute about law, franchises, property of goods, and the like? What may any man call his own, if not the liberty, of his person? I am weary of treading these Ways."*

Speech of Sir Robert Philips, a member of the wise and moderate Parliament that met in the year 1627.



into licentiousness? Let a judgment be formed in *both* cases by the *same* rule. Let them condemn *those*, or acquit *us*.

Pretences and reasons are totally different. The provocations, said to be given by our sister colony, are but the PRETENCES for the exorbitant severity exercised against her. The REASONS, are these—the policy, despicable and detestable as it is, of suppressing the freedom of *America* by a military force, to be supported by money taken out of our own pockets, and the supposed convenience of opportunity for attaining this end. These REASONS are evident from the Minister's speech. The system is formed with art, but the art is discoverable. Indeed, I do not believe it was expected, we should have such early and exact intelligence of the schemes agitated against us, as we have received. Any person, who examines the multitude of invectives published in pamphlets and newspapers in *Great-Britain*, or the speeches made in either House of Parliament, will find them directed *against the Colonies in general*. The people in that kingdom have been with great cunning and labor,\* inflamed *against the Colonies in general*. They are deluded into a belief, that we are in a state of rebellion and aiming directly at a state of independency; though the first is a noxious weed that never grew in our climates; and the latter is universally regarded with the deepest execration by us—a poison we never can be compelled to touch, but as an antidote to a worse, if a worse can be—a tree of forbidden and accursed fruit, which, if any Colony on this continent should be so mad as to attempt reaching, the rest would have virtue and wisdom enough to draw their swords and hew the traitors into submission, if not into loyalty. It would be their interest and their duty, thus to guaranty the public peace.

The Minister addressing the House of Commons, uses

\* *Private Letters give a further Proof of this Fact.*

several expressions relating to *all the Colonies*, and calls the stoppage of the port of *Boston* "a punishment inflicted on those, *who have disobeyed your Authority.*" Is it not extremely remarkable, after such a variety of charges affecting *all the Colonies*, that the statutes of vengeance should be levelled against a *single Colony*? *New-York, Philadelphia* and *Charlestown* have denied freedom of Trade to ships sailing *under the protection of Acts of Parliament.* Will not the House of Commons think that the inhabitants of these places "have disobeyed their authority," and that "a punishment should be inflicted on them?" Why do we not hear of some measure pursued against those Cities? Are *they* immaculate in the eyes of Administration and Parliament? Have not each of these places done *real damage* to the *East-India Company*? Has there been even a requisition of compensation for that damage from any of them? Why is there such a *profound silence* observed with respect to them? Because they are judged by Administration and Parliament, more innocent than the Colony of *Massachusetts Bay*? No. Because Administration and Parliament do us *Americans* the honor to think, we are such very idiots, that we shall not believe ourselves interested in the fate of *Boston*, but that one Colony may be attacked and humbled after another, without shewing the sence or spirit of beasts themselves, many of which unite against a common danger.

Why were the states of Greece broken down into the tamest submission by *Philip of Macedon*, and afterwards by the *Romans*? Because they contended for freedom *separately.* Why were the states of *Spain* subdued by the *Carthaginians* and afterwards by the *Romans*? Because they contended for freedom *separately.* Why were the antient inhabitant of the kingdom, that now harasses us, conquered by their invaders? *Tacitus* will inform us, "*Nec aliud adversus validissimas gentes pro nobis utilius,*"

quam quod in COMMUNE Nonconsulunt. Rarus ad propulsandum *commune periculum* conventus. Ita dum *singuli* pugnant, *omnes* vincuntur.\*

Why did the little *Swiss* cantons, and seven small provinces of the *Low Countries*, so successfully oppose the tyrants, that not contented with an empire founded in humanity and mutual advantages, *unnecessarily* and arrogantly strove to "LAY" the faithful and affectionate wretches "AT THEIR FEET?" Because, they wisely regarded the interest of *each* as the interest of *all*.

Our own experience furnishes a mournful additional proof of an observation made by a great and good man, Lord President *Forbes*. "It is a certain truth," says he, "that all states and kingdoms, in proportion as they grow great, wealthy and powerful, grow wanton, wicked, and oppressive, and the history of all ages gives evidence of the fatal catastrophe of ALL SUCH states and kingdoms, when the cup of their iniquity is full." Another "truth" as "certain" is—that "such states and kingdoms" never have been, and never will be checked in the career of their "wantonness, wickedness and oppression" by a people in any degree, dependent upon them, but by the prudent, virtuous and steady UNANIMITY of that people. To employ more words to elucidate a point so manifest, would be the idle attempt of gilding gold. Surely you cannot doubt at this time, my countrymen, but that the people of *Massachusetts-Bay* are suffering in a cause † common to us all; and there-

\* "Nor was any thing more advantageous to us against very powerful nations, than their imprudence in not consulting together for the interest of the whole. Conventions for repelling a common danger were rare. Thus, while each state resisted singly, all were subdued."

Tacitus in *vit. Agric.*

† The act for shutting up the port of Boston, orders, that it shall not be opened until "peace and obedience to the laws shall be so far restored in the said town of Boston, that the trade of Great-Britain may safely be carried on there, and his Majesty's DUTIES DULY COLLECTED, &c." Thus it appears, if the inhabitants renounce the common cause of the Colonies, the port may be opened—if they adhere to that cause, it will remain shut.

fore, that we ought immediately to concert the most prudent measures for their relief and our own safety.

Our interest depending on the present controversy is unspeakably valuable. We have not the least prospect of human assistance. The passion of despotism raging like a plague, for about seven years past, has spread with unusual malignity through *Europe*. *Corsica*, *Poland*, and *Sweden*, have sunk beneath it. The remaining spirit of freedom, that lingered and languished in the Parliaments of *France*, has lately expired, by the new modelling their Parliaments. What kingdom or state interposed for the relief of their distressed fellow creatures? The contagion has at length reached *Great-Britain*. Her Statesmen emulate the *Nimrods* of the earth and wish to become "mighty hunters" in the woods of *America*. What kingdom or state will interpose for our relief? The preservation of our freedom and every attendant blessing must be wrought out, under providence, *by ourselves*. Let not this consideration discourage us. We cannot be false to each other, without being false to ourselves. We have firmest foundation of Union and Fidelity—that we wish to attain the same things—to avoid the same things. The friendship of others might be precarious, suspected, deceitful.

The infinitely great, wise, and good Being, who gave us our existence, certainly formed us for a state of society. He certainly designed us for such a state of society, as would be productive of happiness. Liberty is essential to the happiness of a society, and therefore is our right. The father of mercies never intended men to hold UNLIMITED authority over men.\* Craft and cruelty have indeed tri-

\* "To live by one Man's Will became the cause of all Men's misery." Hooker's *Eccles. Pol.*

"Is not *universal misery* and *ruin* the SAME, whether it comes from the hands of *many* or of *one*."

Bishop Hoadly's dis. on Govt.

"Of so contrary an opinion was this good man (*Hooker*) to that of



umphed over simplicity and innocence, in disobedience to his holy laws. The father of mercies never intended *us* for the slaves of *Britons*. Craft and cruelty indeed are striving to brand us with marks infamously denoting us to be their property, as absolutely as their cattle. Their pre-

some others, who can never oppose one *extreme*, without running to another, as bad, *if not worse*; and think they cannot enough condemn *Rebellion*, without giving the divine sanction to *tyranny* and *oppression*. This judgment ought likewise to be of the more weight, with such as profess the most profound veneration for the memory of Charles the first, and the honour of the *old Church of England*: Because this treatise, in which it is to be found, was chosen out of many others by that *Prince*, to be recommended to his *children*, as the best *instructor* they could converse with; and was had in such *estimation* by all *churchmen*, from the time of its appearance, that it may well pass not only for his own judgment in particular, but for the *judgment* of the whole *church* of England at that time."

Bishop Hoadly, *ibid.*

"Would not the *unhappiness* of this nation in particular have been the same, whether a late King *alone*, or BY A FORMAL LAW had subjected it to the religion of *Rome* and THE MAXIMS OF FRANCE? And upon supposition of such an *attempt*, would not our late *deliverance* have been as *glorious* as *great* and *justifiable*; as much wanted and as truly beneficial; as it was upon the attempt of the *king alone*; would not the *invitation of the Prince of Orange*; the *election* and *meeting* of the persons, who made the *convention*; and the *consequent establishment* in the *protestant line* have been as requisite and as useful? Nay would not the ENDS OF GOVERNMENT have been more effectually answered this way, than by SUBMISSION to a TOTAL DISSOLUTION OF ALL HAPPINESS at *present* and ALL HOPES for the *future*? How can it be said that the *ends of Government* require that degree of *submission* upon the *one* supposition, which they were allowed not to do upon the *other*; when the same MISERY and DESTRUCTION *must* follow a *Submission* in *both* cases; and the same *universal* HAPPINESS *must* in *both* be the CONSEQUENCE OF A JUST and WELL MANAGED DEFENCE? Or would the *ends of Government* be destroyed, should the miserable condition of the whole people of *France*, which hath proceeded from the Kings being absolute, awaken the thoughts of the *wisest heads* among them, and move them all to exert themselves, so as that those *ends* should be better answered for the time to come."

Bishop Hoadly, *ibid.*

It was resolved by the House of Commons that this Bishop, then *Mr.*

tensions to a right of such power, not only oppose constitutional principles, but even partake of impiety. The sentence of bondage against us is only issued by the frail OMNIPOTENCE \* of PARLIAMENT.

"Non sic inflectere sensus

"Humanos edicta valent." †

We cannot question the *justice* of our cause. This consideration will afford comfort and encouragement to our minds.

Let us therefore, in the first place, humbling ourselves before our gracious Creator, devoutly beseech his divine Protection on us his afflicted servants, most unreasonably and cruelly oppressed. Let us seriously reflect on our manifold transgressions, and by a sincere repentance, and an entire amendment of our lives, strive to recommend ourselves to divine favour.

In the next place, let us cherish and cultivate senti-

*Hoadly* and Rector of *St. Peter's* poor, *London*, "for having often strenuously justified the PRINCIPLES, on which her *Majesty* and the nation proceeded in the late happy revolution, had justly merited the favour and recommendation of that House." And accordingly addressed *Queen Anne*, "that she would be graciously pleased to bestow some dignity in the church on the said *Mr. Hoadly* for his eminent services both to the church and state.

"Whatsoever dishonours human nature, dishonours the policy of a government, which permits it; and a free state, which does not communicate the natural right of liberty to all its subjects, *who have not deserved by their crimes to lose it*, hardly seems to be worthy of that honourable name."

Lord Littleton's history of Hen. 2d.

"Without goodness, power would be *gross* and *oppressive*, and wisdom would degenerate into craft, and mischievous contrivance."

Archbishop Tillotson's sermons "Etiam si non sit molestus dominus; tamen est miserrimum posse, si velit."—Cicero. Even if a Sovereign does not oppress, yet it is a most miserable condition for the subjects, that he has power, if he has the will.

\* 1. *Blackstone* 161.

† *Edwards* cannot so bend the common Sense of human Creatures.

ments of brotherly love and tenderness among us. To whom under the cope of Heaven, can we look for help in these days of "darkness and trouble," but one to another.

O my Countrymen! have pity one on another—Have pity on yourselves, and your children. Let us—by every tender tie, I implore you—let us, mutually excuse and forgive each other our weaknesses and prejudices, (for who is free from weakness and prejudices?)—and utterly abolishing all former dissentious distinctions, wisely and kindly unite in one firm bond, in one common cause.

If there are any men or any bodies of men on this continent, who think that an accomodation between us and *Great-Britain*, or that their own particular interest, may be advanced by withdrawing themselves from the councils of their countrymen, I would wish them most deliberately to consider the consequences, that may attend such a conduct. What step can possibly be taken more directly tending to *prevent* an accomodation between us and *Great-Britain*, than supplying administration with *proofs of our intestine divisions*? What do our enemies so ardently wish for, as for these divisions? Has not the expectation of these events encouraged the ministry to treat us with such unexampled contempt and barbarity? Will not the *certainty* of these events excite resolutions in them to press us—to take every advantage of a people so industriously studying and labouring to weaken and destroy themselves? Then a minister may with reason call upon the House of Commons—"NOW IS OUR TIME TO stand out—to *defy* them—to proceed with *firmness* and *without fear*—to produce a conviction to ALL *America*, that we are now in *earnest*, and that we will proceed with firmness and rigor—until SHE SHALL BE LAID AT OUR FEET." \*

I appeal to every man of common sense, whether any measure will be so likely to induce administration to

\* *Lord North's speech.*

think of an accommodation with us, as our *unanimity*. Must not, therefore, every measure impeaching the credit and weight of this unanimity in the same degree obstruct all accommodation? Will not every such measure naturally produce *haughtiness*, *perseverance* and *fresh rigour* in our oppressors? Will not *these* still more enrage us, and place us farther from an accommodation? If the PROTECTION and PEACE, we wish to derive from our unanimity be taken from us, by the imprudence of our brethren, who break that unanimity or destroy all respect for it in *Great-Britain*, and thereby encourage her to seize, what she will certainly think, the lucky opportunity for pursuing her blows, what must be the consequence? We held up a shield for our defence. If our brethren have pierced it through and rendered it useless—their indiscretion will, according to the usual course of human affairs, compel us to change the mode of defence, and drive us into all the evils of civil discords.

What advantages can they gain, that can compensate to men of any understanding or virtue, for the miseries occasioned by their bad policy? Their numbers will be too small, in any manner whatever to controul the sentiments or measures of the people of *America*. Their conduct never can prevent the exertions of these Colonies in vindication of their liberty. It may, by provocations, render those exertions more rash and imprudent. But their numbers will be so extravagantly exaggerated, as all facts have been against us, on the other side of the *Atlantic* that *Great-Britain* may be *deceived* and *emboldened* into measures destructive to herself and to us. We are now strenuously endeavouring, IN A PEACEABLE MANNER, by this single *power* the force of UNANIMITY—to preserve our freedom. Those, who *lessen* that unanimity, *detract* from its force—will *prevent* its *effect*—and must be, therefore, justly chargeable with all the dreadful consequences to the Colonies.



The third important consideration, I beg leave to recommend to my countrymen, is to draw such reflections from their situation as will confirm their minds in that manly noble fortitude, so absolutely necessary, for the maintenance of those inestimable privileges, for which they are now contending. The man, who fears difficulties arising in the defence of freedom, is unworthy of freedom. God has given the right and means of asserting it. We may reasonably ask and expect his gracious assistance in the reasonable employment of those means. To look for miracles, while we abusively neglect the powers afforded us by divine goodness, is not only stupid, but criminal. We are yet free—Let us think like freemen.

In the last place I beg leave to offer some observations concerning the measures that may be most expedient in the present emergency. Other nations have contended in blood for their liberty, and have judged the jewel worth the price that was paid for it. These colonies are not reduced to the dreadful necessity. So dependent is *Great-Britain* on us for supplies, that Heaven seems to have placed in our hands means of an effectual, yet peaceable resistance, if we have sense and integrity to make a proper use of them. A general agreement between these colonies of non-importation and non-exportation faithfully observed would certainly be attended with success. But is it now proper to enter into such an agreement? Let us consider that we are contending with our ancient venerable and beloved parent-country. Let us treat her with all possible respect and reverence: \* Though the Rulers there have

\* *By justice (saith the Scripture) "the throne is established," and "by justice a nation shall be exalted." I resemble justice to Nebuchadnezzar's tree, shading not only the palace of the King and the house of Nobles, but sheltering also the cottage of the poorest beggar. Therefore if now the blast of indignation hath so bruised any of the branches of this tree, that either our persons or goods or possessions have not the same shelter as before, let us not therefore neglect the root of this great tree; but rather*

had no compassion upon us, let us have compassion on the people of that kingdom : And if to give weight to our supplications and to obtain relief for our suffering brethren, it shall be judged necessary to lay ourselves under restrictions with regard to our imports and exports, let it be done with tenderness, so as to convince our brethren in *Great-Britain* of the importance of a connexion and harmony between them and us, and of the danger of driving us into despair. Their true interests and our own are the same ; nor should we admit any notion of a distinction, till we *know* their *resolutions* to be UNALTERABLY HOSTILE.—

In the mean time, let us pursue the most proper methods for collecting the sentiments of all the British colonies in North *America*, on the present situation of affairs—the first point, it is apprehended, to which attention should be paid. This may be affected in various ways. The assemblies that may have opportunities of meeting, may appoint deputies to attend a general congress at such time and place as shall be agreed on. Where assemblies cannot meet, such of the people as are qualified by law to vote in election of representative may meet and appoint—or may request their representatives to meet and appoint.

When the inhabitants of this extended continent observe that regular measures are prosecuted for re-establishing harmony between *Great-Britain* and these Colonies, their minds will grow more calm. Prospects of accommodation, it is hoped, will engage them patiently and peaceably to attend the results of the public councils and such applications as by the joint sense of *America* may be judged

*with all our possible means, endeavours and unfeigned duties, both apply fresh and fertile mold unto it and also water it even with our tears, that so those bruised branches may be recovered and the whole tree again prosper and flourish."* Mr. Creskeld's speech in the Parliament that met in 1727.

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proper to be made to his Majesty and both Houses of Parliament.

“Better is a little with righteousness, than great revenues without right.”

Proverbs 16.—

END OF VOL. I. OF THE WRITINGS OF JOHN DICKINSON.

